DOCUMENT RESUME

ED 304 800 EA 020 854

TITLE State Plan for Regional Education Service Centers as Approved by State Board of Education.
INSTITUTION Texas Education Agency, Austin.
REPORT NO TEA-AD9-402-01
PUB DATE Jun 88
NOTE 93p.; For earlier version, see ED 271 876.
PUB TYPE Legal/Legislative/Regulatory Materials (090) -- Reports - General (140)

EDRS PRICE MF01/PC04 Plus Postage.
DESCRIPTORS Curriculum Development; Educational Development; *Educational Improvement; Educational Legislation; *Educational Quality; *Education Service Centers; Elementary Secondary Education; *Information Centers; Public Schools; Regional Programs; School Districts; School Organization; Technical Assistance; Training Methods
IDENTIFIERS *Regional Educational Service Agencies; *Texas

ABSTRACT

This report intends to clarify and strengthen the position of the Texas Regional Education Service Centers by providing a structure to improve the quality of their services. The regional education service centers primarily deliver training and technical assistance to help school districts implement statewide initiatives for school improvement. The report describes the state plan for the regional education service centers in terms of authority, purpose, working arrangements, governance, programs, services, organization, administration, accountability, and sanctions. Appended are (1) statutes pertaining to regional education service centers; (2) Title 19, Part II Texas Administrative Code, Chapter 53, Education Service Centers; and (3) rules of the State Board of Education pertaining to regional education service centers. (SI)

****
* Reproductions supplied by EDRS are the best that can be made *
* from the original document. *
****

ED304800

STATE PLAN

FOR REGIONAL EDUCATION SERVICE CENTERS

JUNE 1988

U.S. DEPARTMENT OF EDUCATION
Office of Educational Research and Improvement
EDUCATIONAL RESOURCES INFORMATION CENTER (ERIC)

☒ This document has been reproduced as received from the person or organization originating it.

☐ Minor changes have been made to improve reproduction quality.

• Points of view or opinions stated in this document do not necessarily represent official OERI position or policy.

BEST COPY AVAILABLE

"PERMISSION TO REPRODUCE THIS MATERIAL HAS BEEN GRANTED BY

Linda Kemp

TO THE EDUCATIONAL RESOURCES INFORMATION CENTER (ERIC)."

EA 020 854

STATE PLAN

for

REGIONAL EDUCATION SERVICE CENTERS

As Approved By
State Board of Education

June 1988

STATE BOARD OF EDUCATION

(State Board for Vocational Education)

JON BRUMLEY, Fort Worth
Chairman of the State Board of Education
District 11

REBECCA CANNING, Waco
Vice Chairman of the State Board of Education
District 9

EMMETT J. CONRAD, Dallas
Secretary of the State Board of Education
District 13

Board Members

VOLLY C. BASTINE, JR., Houston
District 4

MARY HELEN BERLANGA, Corpus Christi
District 2

CAROLYN HONEA CRAWFORD, Beaumont
District 7

CHARLES W. DUNCAN, JR., Houston
District 6

PAUL C. DUNN, Levelland
District 15

MARIA ELENA A. FLOOD, El Paso
District 1

WILLIAM V. McBRIDE, San Antonio
District 5

GERALDINE MILLER, Dallas
District 12

PETE MORALES, JR., Devine
District 3

JOHN MACK PRESCOTT, College Station
District 10

KATHERINE PEARCY RAINES, Cleburne
District 14

JACK STRONG, Longview
District 8

W. N. KIRBY, Commissioner of Education
(Executive Officer of the State Board of Education)

Committees
of the
State Board of Education

Personnel
JOHN MACK PRESCOTT, Chairman
REBECCA CANNING
EMMETT J. CONRAD
CAROLYN HONEA CRAWFORD
PAUL C. DUNN

Finance & Programs
MARIA ELENA A. FLOOD, Chairman
JON BRUMLEY
WILLIAM V. McBRIDE
GERALDINE MILLER
PETE MORALES, JR.

Long-Range Planning
REBECCA CANNING, Chairman
MARY HELEN BERLANGA
EMMETT J. CONRAD
CAROLYN HONEA CRAWFORD
CHARLES W. DUNCAN, JR.
WILLIAM V. McBRIDE

Students
JACK STRONG, Chairman
VOLLY C. BASTINE, JR.
MARY HELEN BERLANGA
CHARLES W. DUNCAN, JR.
KATHERINE PEARCY RAINES

FOREWORD

In May 1986 the State Board of Education adopted the State Plan for Regional Education Service Centers. The plan set out in a single document a well-defined charter of the authority, governance, operations and services of the education service centers.

Following extensive review of the education service center system, the State Board of Education adopted revisions to the plan. Those revisions were based on the goals established in the Long-Range Plan for Texas Public School Education and outlined core services that each center is to make available to districts in the region. This revised plan became effective in June 1988.

W. N. Kirby
Commissioner of Education

TABLE OF CONTENTS

Section		Page
INTRODUCTION		vi
I.	Authority and Purpose	1
II.	Working Arrangements	3
III.	Governance	9
IV.	Programs and Services	14
V.	Organization	22
VI.	Administration and Operations	28
VII.	Accountability	34
VIII.	Sanctions	37

APPENDICES

Appendix A — 39

Statutes Pertaining to Regional Education Service Centers

Appendix B — 46

Title 19, Part II Texas Administrative Code,
Chapter 53, Education Service Centers

Appendix C — 65

Rules of the State Board of Education
Pertaining to Regional Education Service Centers

STATE PLAN FOR REGIONAL EDUCATION SERVICE CENTERS

INTRODUCTION

In the summer of 1984, the Second Called Session of the 68th Texas Legislature passed an educational reform package known by its legislative designation: House Bill 72. This bill, among the many areas it addressed, charged the State Board of Education with the development of a Long-Range Plan for Texas Public School Education. After months of discussion and revision by the State Board, the staff of the Texas Education Agency, and educators from around the state and nation, this plan was presented to the legislature in January 1987.

The Long-Range Plan for Texas Public School Education set forth a series of goals and objectives that the Texas public school system needed to address and meet. Each of the entities which comprise the school system (the State, the Regional Education Service Centers, the School Districts, and the Institutions of Higher Education) was given specific tasks and actions to undertake in this effort in order to improve the quality of public education in Texas. The State Board of Education understands fully that the position of the regional education service centers (RESCs) and the programs and services which they provide are critical to the success of the entire reform effort.

In May 1986, the State Board of Education in an effort to clarify and strengthen the position of the service centers discussed and approved a State Plan for Regional Education Service Centers which specifically made reference to the role of the centers in direct relation to the then developing long-range plan. This newly adopted RESC state plan seemed more than adequate to meet the needs of the centers in their current role in the public school system. However, with the completion of the long-range plan, it became increasingly clear that modifications to the RESC state plan were not only desirable but necessary.

The regional education service centers were originally created to serve as media centers with the purpose of making available instructional media to participating districts. Since 1966, this role has expanded to the point that the centers are full-blown service centers providing the districts within their region with a multitude of programs and services ranging from instructional media to curriculum development and assistance to fiscal control and accounting services to data processing services. Currently, the 20 regional education service centers offer a multitude of services in which the districts within the region may participate if they so choose. While the centers serve no regulatory or supervisory role, they are the main focus for the provision of technical assistance and staff development which Texas' approximately 1,100 school districts and 250,000 teachers receive. It is little wonder that the State Board of Education places a high value on the quality of programs which must originate from the regional education service centers.

The State Board of Education has recognized that each service center is expected to make a group of quality core services available to every district within the region. At the same time the Board encourages the use of the free market as a means to provide other quality non-core services to the districts of the state. Further, the Board encourages free-market providers whether they be the education

service center in the region, other centers, institutions of higher education, or commercial vendors to participate in the development of and marketing of the kinds of services which districts will need to provide a quality education to the school children of Texas.

It is the intent of the State Board of Education that the elements of the Texas public school system be accountable to the people of this state for the system that they manage. Therefore, it is critical that the long-range plan and the ESC state plan provide a structure that allows the regional education service centers to continue to improve the quality of their services while providing the citizens of the state specific means by which they can judge the overall success of this element of their public school system.

I. AUTHORITY AND PURPOSE

A. Authority

The authority and purpose of regional education service centers have been established through various acts of the state legislature. These are contained in Sections 11.32 and 11.33 of the Texas Education Code.

Laws authorizing regional media centers were enacted by the 59th Legislature in 1965. The 60th Legislature, in 1967, expanded the purpose to include the provision of educational services to school districts and coordination of educational planning in the regions. A third charge or purpose was added by the legislature in 1969 with the provision that education service centers would participate in a statewide system of computer services.

The scope and purpose of regional services were further extended in 1969 by legislative action which stipulated that service centers may provide supplementary services or technical assistance to school districts in support of the statewide design of special education and may provide other services to school districts under rules and regulations adopted by the State Board of Education.

The legislature over time has provided that regional education service centers, in accordance with rules and regulations established by the State Board of Education, shall operate to provide educational services to the school districts, and to coordinate educational planning in the region. These statutes further provide for each regional education service center to be governed by a seven-member board that is authorized to carry out the following:

1. To employ an executive director and such other personnel as deemed necessary to carry out the functions of the center.

2. To do and perform all things deemed proper for successful operation of the center.

3. To enter into contracts for grants from both public and private organizations and to expend such funds for the specific purposes in accordance with the terms of the contract with the contracting agency.

In addition to the foregoing provisions, Section 17.96(c) of the Texas Education Code transfers from the abolished office of county school superintendent to the governing board of service centers the powers and duties relating to cooperative agreements between school districts for employment of personnel.

B. Purpose

Regional education service centers, as authorized by law, operate to provide to school districts services that promote equalization of educational opportunities and the highest possible levels of quality in instruction and related services for students. They are the primary delivery system for training and technical assistance in support of statewide initiatives for school improvement. Service centers serve in the state educational system

as non-regulatory regional units that support and assist the state education agency in the development and implementation of educational programs. Regional education service centers are service agencies for regional planning, development, coordination and implementation, and evaluation of educational programs and educational research. Services and research efforts by the regional education service centers are consistent with the Long-Range Plan for Texas Public School Education. Regional education service centers operate in accordance with state and federal laws, rules of the State Board of Education, and the provisions of this state plan.

C. **Location**

Regional education service centers are located throughout Texas so that each school district has the opportunity to be served and to participate in state initiated programs and services on a voluntary basis. Regional boundaries are established to define service delivery areas for state initiated services. These regions are established in accordance with the following provisions:

1. Each service center shall serve an area having 50,000 or more scholastics. The State Board of Education may grant exceptions for sparsely populated areas.

2. All boundary lines of regions shall coincide with county lines except where a school district is in two or more counties in which case it shall be served from the region encompassing its county of jurisdiction. Further exception may be made in assignment of county line district when evidence of hardship or other unusual circumstances is presented to support a request for reassignment to the adjoining region.

3. Each service center site is selected by the education service center board of directors and approved by the State Board of Education. Site selection and approval are based upon proximity to the districts served.

4. Satellite centers may be established to achieve greater proximity to the districts served.

5. The boundaries of the regions will consider the density, school district characteristics and student population of the area to be served.

The State Board of Education shall periodically review the number and location of the regional education service centers and the boundaries of regions and, considering demographics and other factors, may change the existing structure when such changes would enhance effectiveness, economy, or provision of services.

The service center regions and location of service centers are contained in 19 TAC Chapter 53, Regional Education Service Centers.

II. WORKING ARRANGEMENTS

The effectiveness of the regional service delivery system is dependent in part on clarity and understanding of the lines of authority, coordination, and control within the state education system. Service centers serve in the state educational system as non-regulatory regional units that support and assist the state education agency in the development and implementation of statewide educational program development initiatives. The working relationships between elements of the state education system that impact on the regional delivery of services are as follows:

A. Relationships

1. State Board of Education

a. The State Board of Education is the legally constituted authority for the establishment and operation of regional education service centers.

b. The State Board of Education sets policy concerning the relations between the regional service centers, the Texas Education Agency, and the State Board of Education.

c. The State Board of Education formulates the mission, goals, and objectives for public education in Texas that provide direction for regional education service center programs and services.

2. The Commissioner

a. Monitor the election process for regional education service center boards.

b. Approve selection of final candidates for executive director.

c. Review an annual budget for each service center.

d. Establish and maintain communication with school district boards of trustees regarding education service center services.

e. Establish the Commissioner's Advisory Council for Regional Services.

f. Maintain communication with service center boards of directors.

g. Approve each education service center's annual comprehensive application.

h. Maintain a system of monitoring and auditing regional education service center activities as prescribed by law and as needed.

i. Meet at least annually with chairmen of education service center boards of directors (Statewide Advisory Commission on Education Service Centers) to give direction for the operation of education service centers and to obtain from them recommendations regarding the management and operation of service centers.

j. Impose sanctions in accordance with State Board of Education rules and Section 21.254 of the Texas Education Code in instances of violations of law or State Board of Education rules, or failure to provide quality services in accordance with State Board of Education directives.

k. Establish procedures for the communication and working relationships between Texas Education Agency staff and regional education service center staff.

l. Report periodically to the State Board of Education on the management and operation of education service centers and on the quality of services provided.

3. **School District Board of Trustees**

a. Appoint a representative co the Regional Advisory Committee

b. Elect school district representation on the regional education service center board of directors.

c. Advise the regional education service center board of directors regarding the effectiveness of the service center's management and services.

d. Approve school district participation in service center programs in accordance with the policies of the local school district.

4. **Regional Advisory Committee**

a. Consult and advise with the board of directors on matters concerning educational services provided by the service center.

b. Provide information to the executive director regarding school district needs and appropriateness and quality of services provided by the service center.

c. Conduct annual evaluations and report to board of directors on appropriateness of programs and quality of services provided by the service center.

5. **Regional Education Service Center Board of Directors**

a. Demonstrate accountability to the school district boards of trustees for the delivery of services that are responsive to the needs of school districts and consistent with the Long-Range Plan for Texas Public School Education.

b. Demonstrate accountability to the State Board of Education for operation of the center in compliance with laws and rules and directives of the State Board of Education.

c. Adopt and submit required reports to the commissioner of education.

d. Participate, through the board chairman, in the Statewide Advisory Commission on Education Service Centers.

e. Meet periodically with school superintendents, members of local school boards, and representatives of institutions of higher education in the region to obtain information regarding school district needs and effectiveness of regional education service center management and services.

f. Establish education service center policies and appoint an executive director consistent with rules of the State Board of Education and this state plan.

6. **Executive Director**

a. Report to and be accountable to the regional education service center board of directors for management and operation of the service center in accordance with board policies. Those policies will be consistent with State Board of Education rules, legislative mandates, directives of the commissioner and the State Board of Education, and this state plan.

b. Develop and implement administrative procedures consistent with regional education service center policies, State Board of Education rules, and this state plan.

c. Serve on the Commissioner's Advisory Council for Regional Services.

d. Provide information to the commissioner of education, State Board of Education, and the regional education service center board regarding regional needs, services, and operations.

e. Identify and respond to needs of school districts in the region.

f. Facilitate the coordination of educational planning in the region.

g. Promote and coordinate activities of the regional advisory committee.

h. Coordinate cooperative service delivery arrangements with institutions of higher education within the region.

i. Be responsible for the quality of services provided by the center.

j. Be responsible for providing the leadership necessary to ensure that the programs and services provided by the center support the improved quality of public education.

7. **Institutions of Higher Education**

Institutions of higher education, especially those which are teacher training institutions, have resources, principally faculty with teacher training expertise and research capability, which could assist districts in improving student performance. In order to facilitate cooperative

planning in the region and to promote quality, regional education service centers and institutions of higher education conducting approved teacher training programs are encouraged to establish and maintain a formal and close working relationship to accomplish mutual goals.

Institutions of higher education within the region in accordance with the procedures established by the center board of directors:

a. serve as members of the Regional Advisory Committee.

b. annually review the programs and services delivered by the center.

c. may be selected as a prime sub-contractor for the delivery of services in areas where the institution has demonstrated expertise.

d. jointly plan with the regional education service center for the cooperative development and delivery of services within the region.

The expertise of institutions of higher education could be used directly in the provision of services. The types of services to be provided through the institution would be tailored to those areas which are consistent with the role and scope of higher education institutions. These may include the following:

- Accreditation Assistance and Support;
- Curriculum Assistance and Support;
- Training and Staff Development (Appraiser Training, Advanced Academic Training, School Board Member Training, and Instructional Leadership Training);
- Gifted and Talented Assistance;
- Instructional Technology; and
- Basic Skills Assistance.

B. Advisory Groups

1. Commissioner's Advisory Council for Regional Services

In order to facilitate cooperative planning by regional education service centers and the Texas Education Agency for implementation of laws, State Board of Education rules, and programs, and in order to promote the coordination of services to school districts, the commissioner of education will establish a Commissioner's Advisory Council for Regional Services (CAC). The structure and function of the Commissioner's Advisory Council are as follows:

a. Structure of the Commissioner's Advisory Council for Regional Services

(1) The Commissioner's Advisory Council shall be composed of executive directors of all regional education service centers.

(2) Meetings of the Commissioner's Advisory Council will be conducted in accordance with an annual schedule established by the commissioner of education.

(3) Meetings of the Commissioner's Advisory Council shall be chaired by the commissioner of education or his designee.

(4) Standing committees will be established.

(5) The commissioner shall appoint additional Commissioner's Advisory Council committees as required for selected assignments.

b. Functions of the Commissioner's Advisory Council for Regional Services include the following:

(1) Review actions taken by the State Board of Education with special emphasis on those relating to regional services.

(2) Provide input to the commissioner regarding impact of proposed laws, rules or programs upon needs of school districts for regional services/assistance and upon the service center's resource capability.

(3) Design methods or systems to be used by all regional education service centers to assist school districts in implementing laws and rules, in the management of the service centers, and for other purposes where uniformity or standardization is required or preferred. This will include, where applicable, any cost to be assessed school districts.

(4) Provide input to the commissioner regarding the needs of school districts in the region and the impact of Texas Education Agency management practices and staff effectiveness.

2. **Regional Advisory Committee**

a. In each region there is a regional advisory committee to consult with and advise the board of directors on matters concerning services provided by the education service center. The regional advisory committee membership consists of:

(1) one representative from each school district, selected by the appropriate board of trustees;

(2) one representative from each four-year institution of higher education within the region which conducts an approved teacher education program selected by the appropriate board of trustees.

b. Each member of the regional advisory committee serves at the will of the local school district board of trustees.

c. The regional advisory committee may establish an executive committee or other subcommittees to assist in the advisory function to the board.

d. The regional advisory committee will perform the following functions:

(1) Consult with and advise the board of directors on matters concerning educational services provided by the service center.

(2) Provide information to the executive director regarding school district needs and appropriateness and quality of services provided by the service center.

(3) Conduct an annual evaluation and report to the board of directors on the quality of services rendered, the effectiveness of center operations, and appropriateness of program development efforts.

3. **Statewide Advisory Commission**

A Statewide Advisory Commission on Education Service Centers composed of the chairman of each board of directors, the chairman of the State Board of Education, and the commissioner of education shall meet annually to provide a forum to plan, to communicate, and to facilitate the delivery of services in accordance with the Long-Range Plan for Texas Public School Education.

4. **Panel of Distinguished Personnel**

Pursuant to Texas Education Code 11.32(g)(2), in each five-year period the practices and services provided by each center shall be evaluated by a panel of distinguished personnel deemed appropriate by the service center board of directors. A copy of the written evaluation report prepared by this panel shall be submitted to the commissioner of education.

III. GOVERNANCE

Governance of each regional education service center is vested in a seven-member board of directors elected by school district boards of trustees.

A. Board of Directors

1. Responsibility

The service center board of directors is charged with the development of policies to ensure sound management and operation of the regional education service center within state laws and the rules of the State Board of Education, and to ensure responsiveness to needs of the school districts in the region.

2. Accountability

The board is accountable to the constituents in the region for the delivery of services that are responsive to the needs of school districts and consistent with the mission, goals, and objectives of the State Board of Education. In addition, the board is accountable through the commissioner to the State Board of Education for operation of the center in accordance with state laws and the rules of the State Board of Education.

3. Eligibility

a. Board members must be citizens of the United States, more than 21 years of age, and residents of the region being served by the center. They may not be engaged professionally in education in a public school district, be a member of a school district board of trustees, or be a member of the board of any institution of higher education.

b. Board members shall ensure that Local Government Code, Title 5, Subtitle C, is complied with when questions of substantial interest or nepotism arise.

4. Terms of Office

a. Members of the board of directors are elected for three-year terms. Terms of office shall begin June 1.

b. Should a vacancy occur due to death or resignation, a 30-day period shall elapse after due notice has been given to the chairman of the board of directors before the vacancy is filled.

c. At the beginning of the 30-day interval, notice of such vacancy shall be given to the regional advisory committee and the presidents of the local boards of trustees, and shall be posted in appropriate locations.

d. Vacancies for an unexpired term shall be filled by appointment by the remaining members of the board of directors.

5. **Election Procedures**

a. Members of the board of directors are elected by the local school boards in each region.

b. Any eligible person wishing to seek election to membership on a regional education service center board shall file at the headquarters office of the service center in person or by certified mail between February 1 and February 20. No filing fee shall be required. Regional boards of directors shall adopt policies concerning filing procedures.

c. Notice of the time and place for filing shall be submitted for publication to appropriate newspapers in the region, and to the regional advisory committee, and posted in appropriate locations by February 1.

d. A ballot shall be developed and submitted to all local school boards in the region by March 1. Placement on the ballot shall be determined by drawing. Each local school board member shall have one vote for each vacancy on the board. Completed ballots shall be returned to the chairman of the regional board of directors by April 5. The board of directors shall canvass the ballots at its next regularly scheduled or special meeting, but no later than May 31, and determine the winner by a plurality of the votes cast. In the event of a tie, the names of the candidates who have tied shall be resubmitted to the local school boards.

6. **Compensation**

All members of the board of directors shall serve without compensation.

7. **Meetings**

a. The board of directors shall meet no less than every two months at a time and place to be established by the board in its rules of procedure.

b. Special meetings of the board may be called by the chairman or by a majority of the board's membership.

c. Four members of the board shall constitute a quorum for the transaction of business.

d. Official minutes of the board shall be kept in the office of the executive director and shall be available for examination.

e. Business may be transacted provided a quorum is present and all members have been properly notified. A majority vote of members present is necessary to secure passage.

f. All meetings shall be open to the public except as provided by law.

g. Members of the board of directors shall be reimbursed for actual travel and expenses when conducting official business for the center. Reimbursement from state funding may not exceed that provided for members of the State Board of Education.

h. The board of directors shall meet annually with the regional advisory committee to evaluate the quality of services rendered, the effectiveness of center operations, and the appropriateness of the program development efforts.

i. The chairman of the regional advisory committee and representatives from institutions of higher education in the region shall be invited to attend each meeting of the board.

8. **Functions**

The board of directors serves as the policy-forming and evaluative body of the regional education service center and performs those functions specified in law and in State Board of Education rules which include the following responsibilities that are delegated specifically to the governing board.

a. Formulate policies to govern the operation of the service center.

b. Develop and approve an annual operating budget for the service center and submit it to the commissioner for review.

c. Establish procedures for budgetary control, expending, auditing, and reporting on expenditures within the budgets adopted in accordance with law and State Board of Education rules.

d. Coordinate and approve an annual evaluation of the activities of the service center.

e. Establish specific policies with respect to all fiscal affairs of the service center to ensure compliance with law and State Board of Education rules.

f. Enter into contracts for grants from both public and private organizations in accordance with rules of the State Board of Education.

g. Confirm the appointment and termination of professional personnel upon recommendations by the executive director.

h. Acquire, hold title to, and sell real property for service center purposes in accordance with statutes.

i. Formulate policies for the utilization of the regional advisory committee in an advisory capacity.

j. Develop procedures for the active coordination of service delivery between the center and institutions of higher education.

k. Within each five-year period identify a panel of distinguished personnel in accordance with Texas Education Code Section 11.32(g)(2).

l. Select an executive director in accordance with the following procedures:

(1) The board notifies the commissioner of education that a vacancy exists.

(2) The board drafts a list of competencies it expects the executive director to possess. This will provide a guide for the board in identifying and employing the best possible applicant.

(3) The board drafts a job vacancy notice which includes the draft list of competencies and position qualifications.

(4) The board designates a search committee to assist with the initial steps in the selection process.

(5) The board sends the draft list of competencies, the job vacancy notice, and the list of search committee members to the commissioner of education for approval. As part of the approval process, the commissioner of education may meet with the board to review and revise documents as necessary.

(6) After approval, the job vacancy notices are distributed as follows:

(a) commissioner of education;
(b) each of the 20 regional education service centers;
(c) each school district within the region; and
(d) other (optional).

(7) Notices of the job vacancy are posted for a period of at least 30 days from the date of the announcement and applications are accepted during that time.

(8) All qualified applicants are given equal consideration, and no person shall be excluded on the grounds of race, religion, color, national origin, sex, handicap, or age (except where handicap or age constitutes a bona fide impediment to the proper and efficient fulfillment of the duties of the position).

(9) The search committee narrows the field of applicants to 3-5 finalists and notifies the board. The board then provides to the commissioner a list of all qualified candidates with the selected finalists identified. The commissioner may approve the list or may choose to interview the finalists prior to making a decision. If fewer than two finalists are approved by the commissioner, the board may direct the search committee to develop another list of finalists.

(10) Upon receipt of approval from the commissioner of education, theboard initiates the final steps in the selection process.

(11) The board of directors as a whole interviews each of the finalists, selects the best qualified applicant, and notifies the commissioner of education of their decision.

IV. PROGRAMS AND SERVICES

The State Board of Education's Long-Range Plan for Texas Public School Education establishes a set of goals and objectives which are critical to the future of public education in the state of Texas. This long-range plan, developed as a direct result of the legislative mandate established in House Bill 72, requires that all aspects of the Texas public school system bring resources to bear in improving the quality of educational services by the state's public schools. The State Board of Education's plan outlines the responsibilities of the various pieces of the educational establishment, including the responsibilities of the 20 regional education service centers. Further, the long-range plan provides a direct link between the service centers, the school districts, and the Texas Education Agency by assigning the centers specific activities necessary for the successful implementation of the long-range plan. As a result, the State Board of Education views the programs and services which are available through these service centers as a critical part of the overall reform of the public school system in Texas.

A. Regional Planning

The programs and services operated by the regional education service centers have been refocused and enhanced as a result of this State Board of Education initiative. Additionally, these programs and services represent a considerable effort on the part of the centers and the school districts of the region and, to a lesser degree, of the Texas Education Agency and institutions of higher education to undertake regional planning for the benefit of public education within the region. The guidance provided by the State Board of Education's long-range plan has enabled this regional planning process to identify and focus the energies of the public schools and the regional service centers on the major areas of concern which are facing the public schools of Texas. Such planning calls for the successful integration of the efforts of not only the service centers and the school districts of the region but also the coordination of these efforts with the Texas Education Agency, institutions of higher education, and other appropriate agencies and organizations in the region.

B. Types of Services

With the initial development of the State Board of Education's Long-Range Plan for Texas Public School Education, it became immediately clear that the needs of the Texas public school system were many and varied. In order to address those needs adequately, the Board formulated a series of specific goals and objectives. With the formulation of those goals and objectives, the State Board of Education specified that each of the entities of the Texas public school system (the State, the Regional Education Service Centers, the School Districts, and the Institutions of Higher Education) undertake specific actions which were calculated to meet those goals and objectives. These actions are delineated in the Board's long-range plan. Centers should provide through programs and services the leadership necessary to support these school improvement initiatives of the State Board of Education.

To facilitate the delivery of state initiated services to school districts, service delivery boundaries are established. These boundaries, or regions, define the primary service delivery area for the center located in each

region. As one of its primary functions, each center is expected to make the core services listed in section C of this chapter available to all districts in that region in accordance with State Board of Education or commissioner directives. As the state develops and requires core services to be available, centers must bring appropriate financial resources to bear on the cost-effective provision of quality services in the core areas. Because of regional differences, each of the centers may be required to emphasize one or more of the core programs and services.

Nothing in this section is intended to preclude centers throughout the state from developing and making available to districts services beyond the core services. These additional services should be intended to meet the needs of school districts in their efforts to provide a quality education program for all students. Free-market providers such as the center in the region, other centers, institutions of higher education and commercial vendors should be investigated prior to contracting for the provision of these additional services.

The programs and services outlined below address the goals listed in the State Board of Education's long-range plan, and, therefore, may appear more than once in the list.

GOAL 1: ALL STUDENTS WILL BE EXPECTED TO MEET OR EXCEED EDUCATIONAL PERFORMANCE STANDARDS.

Action by Regional Education Service Centers:

- Assistance to districts should concentrate on raising student performance.
- Information about and assistance in implementing practices that promote effective teaching and effective schools should be provided to the districts.
- Assistance should be provided on developing plans for campus improvement.

Regional Education Service Center Program or Service:

- Basic Skills Assistance and Support
- Accreditation Assistance and Support
- Curriculum Assistance and Support
- Training and Staff Development
- Special Education Services
- Migrant Educational Assistance
- Educational Technology
- Bilingual Education/English as a Second Language Assistance
- Gifted and Talented Assistance

GOAL 2: A WELL-BALANCED CURRICULUM WILL BE TAUGHT SO THAT ALL STUDENTS MAY REALIZE THEIR LEARNING POTENTIAL AND PREPARE FOR PRODUCTIVE LIVES.

Action by Regional Education Service Centers:

- Direct assistance on curriculum should be provided to the districts.

- Direct assistance on remedial, compensatory, adaptive, and enrichment programs should be provided.
- Comprehensive collections of quality instructional materials should be maintained for district and campus use.
- Mechanisms for delivery of services to smaller units through the use of alternative technologies should be implemented.

Regional Education Service Center Program or Service:

- Curriculum Assistance and Support
- Instructional Media Services (including Textbook Display)
- Basic Skills Assistance and Support
- Special Education Services
- Migrant Educational Assistance
- Educational Technology
- Gifted and Talented Assistance
- Bilingual Education/English as a Second Language Assistance

GOAL 3: QUALIFIED AND EFFECTIVE TEACHERS WILL BE ATTRACTED AND RETAINED.

Action by Regional Education Service Centers:

- Assistance should be provided to districts on promoting local conditions that will encourage teachers to stay in the profession and enhance their competencies through advanced academic training programs and related training functions.
- Quality inservice education programs should continue.

Regional Education Service Center Program or Service:

- Training and Staff Development (including Advanced Academic Training)
- Curriculum Assistance and Support
- Special Education Services
- Migrant Educational Assistance
- Educational Technology
- Gifted and Talented Assistance

GOAL 4: THE ORGANIZATION AND MANAGEMENT OF ALL LEVELS OF THE EDUCATIONAL SYSTEM WILL BE PRODUCTIVE, EFFICIENT, AND ACCOUNTABLE.

Action by Regional Education Service Centers:

- Assistance must be provided for ongoing school board member, administrator, and teacher training.
- Assistance must be provided in implementation of the Public Education Information Management System to ensure accurate data submission.
- Assistance should be provided to small districts in sharing resources, efficiently allocating funding, and providing programs.

Regional Education Service Center Program or Service:

- Training and Staff Development
- Public Education Information Management System

- Computer Services
- Accreditation Assistance and Support

GOAL 5: THE FINANCING OF PUBLIC EDUCATION WILL BE EQUITABLE TO ALL STUDENTS IN THE STATE.

Action by Regional Education Service Centers:

- Regional education service centers need to answer queries from and provide training to districts on ways to use resources most effectively.

Regional Education Service Center Program or Service:

- Public Education Information Management System
- Accreditation Support and Assistance
- Computer Services

GOAL 6: PARENTS AND OTHER MEMBERS OF THE COMMUNITY WILL BE PARTNERS IN THE IMPROVEMENT OF THE SCHOOLS.

Action by Regional Education Service Centers:

- Regional education service centers should assist districts in the effective use of volunteers and in preparing programs to strengthen parenting skills.

Regional Education Service Center Program or Service:

- School Volunteer Services
- Training and Staff Development
- Adult and Community Education Services
- Basic Skills Assistance and Support
- Migrant Educational Assistance
- Bilingual Education/English as a Second Language Assistance
- Special Education Services

GOAL 7: THE INSTRUCTIONAL PROGRAM WILL BE CONTINUALLY IMPROVED BY THE DEVELOPMENT AND USE OF MORE EFFECTIVE METHODS.

Action by Regional Education Service Centers:

- Regional education service centers should disseminate to districts the results of local and regional research and development efforts.
- A coordinated statewide system of computer and other technology services must be provided to meet districts' educational and informational needs.

Regional Education Service Center Program or Service:

- Public Education Information Management System
- Accreditation Assistance and Support
- Training and Staff Development
- Instructional Media Services
- Curriculum Support and Assistance
- Computer Services
- Educational Technology
- Special Education Services

GOAL 8: COMMUNICATIONS AMONG ALL PUBLIC EDUCATION INTERESTS WILL BE CONSISTENT, TIMELY, AND EFFECTIVE.

Action by Regional Education Service Centers:

- Assistance will be provided to districts in using school performance information to increase school effectiveness.

Regional Education Service Center Program or Service:

- Public Education Information Management System
- Computer Services
- Educational Technology

C. Summary of Core Services

Listed below are core service areas established for the centers by various state authorities. These core service areas will be augmented from time to time by statutory change or policies of the State Board of Education. For each of the program areas, some specific representative performance tasks are delineated. As greater definition of the core service areas is provided through other state plans, State Board of Education initiatives or commissioner directives, performance contracts between the centers and the agency will define the specific tasks and outcomes for each core service area.

Educational Technology

- Technical assistance in development of district technology plan
- Technical assistance in selection of hardware and software
- Training of district staff in use of educational technology
- Verification of computer literacy qualifications for teachers

Volunteer Services

- Regional coordination of school volunteer training

PEIMS

- Training of district personnel in data standards
- Data edit and transmission

Textbooks

- Display of textbooks and learning systems to be adopted

Media

. Maintain instructional media library
. Operate media distribution system

Accreditation

. Pre-monitoring technical assistance to all districts scheduled for a monitoring visit
. Technical assistance as follow-up to a monitoring visit
. Technical assistance to low-performing campuses
  .. technical assistance in needs assessment
  .. technical assistance in campus plan development

Curriculum Development

. Technical assistance in adapting/selecting curriculum to meet student needs

Basic Skills

. Technical training for teachers of low-performing students

Gifted/Talented

. Technical assistance in the development of district programs
. Technical assistance in student assessment and identification

Bilingual Education

. Technical assistance in development of district programs, student assessment and textbook selection

Special Education

. Operate direct services and student support programs for visually handicapped students
. Provide direct and support services to unserved/underserved handicapped students
. Provide technical assistance to school districts in:
  .. "Child Find"
  .. Early childhood/preschool programs for the handicapped
  .. "Least restrictive environment"
  .. Curriculum development/correlation

At Risk Students

. Technical assistance in development of district plans

Discipline Management

. Technical assistance in development of district plans

Training (other)

- Bus Driver Training
- Instructional Leadership Training
- Technical assistance in awareness of dyslexia
- Technical assistance in awareness for child abuse/neglect
- TTAS upgrade training, testing, and certification
- School Board Member Training
- General Management/Leadership Training of School Administrators

Computer Services

- Training, technical assistance and data processing services for school districts

D. Other Services

In addition to the core services of the regional education service centers, each of the centers develops, in consultation and cooperation with the school districts and institutions of higher education, services which meet the unique needs of the school districts. Such offerings might include: administrative services for various state and federal program cooperatives; fiscal agent for various state and federal programs; instructional services cooperatives; support services cooperatives; library cooperative; pupil appraisal; TI-IN; Interact Network; Minnesota Education Computer Consortium (MECC); and other regional services.

These services must be responsive to identified educational needs and consistent with the Long-Range Plan for Texas Public School Education.

E. Management Criteria

Regional services shall be administered through a system of program management that includes the following elements:

1. defined lines of authority and responsibility for each program;

2. defined procedures for collecting and reviewing data about program implementation and effectiveness;

3. defined procedures for financial accountability within each program administered by the service center; and

4. defined procedures for annual evaluation, annual performance report, and modifications/revisions of program.

F. Review and Approval of Regional Services

All services and special projects administered by the regional education service center, regardless of source of funds, shall be set forth in a comprehensive application that is submitted by the education service center to the Texas Education Agency for review and approval. Information relating to service, budget, funding source, contractual arrangements, and reporting requirements will be provided for each program/service/project as specified in the comprehensive application guidelines.

The procedures for submitting the comprehensive application, and the process and time frame for review and approval by the Texas Education Agency shall be prescribed by the commissioner.

The summary listing of planned services will be maintained by the Texas Education Agency for distribution on request to interested school districts, members of the legislature, or other agencies.

G. **Reporting of Services**

1. Information related to the regional services will be submitted annually by the education service center to the Texas Education Agency. The format and type of data to be included in this annual performance report will be specified by the Texas Education Agency.

2. An independent audit is to be submitted to the Texas Education Agency at the end of the school year that discloses, by title and dollar amount, the actual services provided in each region.

V. ORGANIZATION

Regional education service centers shall be organized as appropriate for individual centers within the guidelines of this State Plan for Regional Education Service Centers. The organizational arrangement will be determined by the executive director subject to approval by the regional board of directors, and should be based on available funding and service delivery requirements. Organizational levels, personnel assignments, and position descriptions should fall within the levels, titles, and functions described in this state plan.

A. Structure

1. Four structural levels for professional staffing.

   a. **LEVEL I: EXECUTIVE FUNCTIONS**

      (1) **Executive Director**

         (a) perform all duties and functions as required by the board of directors;

         (b) submit required reports to the board of directors for approval and forwarding to the Texas Education Agency and member school districts;

         (c) maintain records pertaining to all functions of the center;

         (d) appoint professional staff members subject to confirmation by the board of directors and appoint support staff members;

         (e) provide advice to the commissioner of education as requested; and

         (f) promote regional and metropolitan planning and participate with other groups engaged in other planning functions which affect all or a portion of the region.

      (2) **Deputy or Associate Director***

         (a) assist the executive director in performing executive level functions;

         (b) perform personnel office functions as assigned;

         (c) perform planning and administration functions integral to center operations;

         (d) perform supervisory functions for designated service areas operated by the center;

(e) perform functions associated with the center's information/communication program; and

(f) perform other duties as assigned by the executive director.

(3) **Business Manager***

(a) manage the operations of the center's business office;

(b) prepare official budgets and budget reports required by funding authorities;

(c) perform tasks integral to the management of center funds; and

(d) perform other duties as assigned by the executive director.

*Position may be operated at Level II if elected by center administration and regional education service center board of directors.

b. **LEVEL II: CENTRAL MANAGEMENT FUNCTIONS**

(1) Component Director

(a) perform general service program planning tasks;

(b) prepare and manage service program budgets;

(c) supervise service program personnel;

(d) evaluate service programs; and

(e) perform other functions as assigned by higher administration.

c. **LEVEL III: PROGRAM MANAGEMENT FUNCTIONS**

(1) Coordinator

(a) develop specific service delivery plans;

(b) communicate service delivery plans to local personnel;

(c) coordinate the implementation of service delivery plans among participating districts;

(d) supervise and evaluate center personnel involved in delivering services;

(e) implement activities to evaluate and refine service delivery programs; and

(f) perform other tasks as assigned by higher authorities.

(2) **Data Processing Systems Analyst**

(a) analyze and design new systems and redesign existing systems;

(b) estimate manpower and machine requirements for assigned tasks;

(c) provide support services for programming staff;

(d) assure all technical documentation for projects;

(e) assume prime responsibility for one or two existing systems;

(f) assist in establishing systems testing, conversion plans, and systems implementation;

(g) supervise other project personnel as designated; and

(h) fulfill administrative reporting requirements.

(3) **Data Processing Programming Analyst**

(a) define requirements for analytical studies;

(b) document current systems operations;

(c) perform interviews and other data gathering;

(d) apply current technology to solution of problems;

(e) prepare specifications for system improvements;

(f) define systems security and control procedures;

(g) develop systems testing and conversion plans;

(h) fulfill administrative reporting requirements; and

(i) supervise other project personnel as required.

d. **LEVEL IV: PROGRAM SERVICE FUNCTIONS**

(1) **Educational Specialist**

(a) develop service delivery materials and products;

(b) design specific approaches for delivery of services;

(c) schedule and conduct service delivery activities; and

(d) participate in activities designed to evaluate and improve service delivery systems.

(2) **Data Processing Specialist**

(a) design software systems and develop source code and documentation;

(b) perform software maintenance functions on existing software;

(c) provide technical assistance to support operations of computer systems;

(d) provide interface functions linking data processing users and computer operations; and

(e) perform systems analysis and diagnostic functions.

(3) **Direct Services Specialist**

(a) provide psychological and other diagnostic services to students;

(b) provide therapist functions to students;

(c) provide guidance and counselling services to students; and

(d) provide library or learning resource center services for schools.

(4) **Technical Assistance Specialist**

(a) design, test, and install technical equipment;

(b) maintain technical application of delivery system;

(c) maintain specified equipment inventory; and

(d) assure compliance with regulatory standards.

(5) **Instructor/Field Specialist**

(a) develop plans for performing job tasks or instruction in specific area of assignment;

(b) select and/or prepare materials to support tasks accomplishment;

(c) perform job tasks utilizing effective practices; and

(d) evaluate and monitor results of performing job tasks.

2. Additional structural levels and/or position titles for professional staff must be consistent with those in use by the Texas Education Agency.

B. Staffing

As provided in law, the regional education service center board of directors is authorized to employ an executive director and other personnel, professional and clerical, as it deems necessary to carry out the functions of the center.

The board shall establish policies, consistent with law and State Board of Education rules, concerning employment practices, qualification and assignment of personnel, and salary schedules.

1. Employment practices will ensure fair and equal treatment of all persons in decisions relating to employment, promotion, demotion, and termination. No qualified person shall be excluded from consideration for employment or promotion on the basis of race, religion, color, national origin, sex, handicap, or age (except where handicap constitutes a bona fide impediment to proper and efficient fulfillment of the duties of a particular position). Attention shall be given to both employment of staff and appointments to management positions in a ratio that reflects the ethnic and gender distribution within the region.

2. Qualifications of personnel employed shall equal or exceed those which are required by school districts for employees with similar duties and responsibilities. Professional personnel shall possess appropriate training, experience, and certification necessary to perform assigned responsibilities and functions competently and effectively.

3. An annual salary schedule including salary ranges for all positions will be prepared and approved by the education service center board of directors and submitted before the beginning of each fiscal year to the commissioner of education.

   a. In establishing a salary schedule for service center employees, the board shall consider:

      (1) salaries paid by school districts within the region for employees having similar levels of education, experience, and responsibility;

      (2) the educational level, professional skills, and experience required for successful performance at a specific level and particular position;

      (3) the educational level, professional skills, and experience possessed by a particular employee or applicant;

      (4) the nature, complexity, and responsibility of the position to be filled; and

      (5) the Texas State Employees Compensation Schedule.

   b. Salary schedule amounts shall be revalidated and revised as appropriate at least on a biennial basis.

c. Salary incentive programs are allowed subject to the review and approval of the commissioner.

d. Salary ranges, including fringe benefits, for executive directors shall be established by the commissioner of education in consultation with the regional board of directors. The salary range will take into consideration the size of the service center operation and the salaries of superintendents in the region.

4. The employment period for executive directors shall begin on September 1 of each year.

5. The board of directors shall establish a local grievance policy in accordance with 19 TAC §61.232.

C. **Reporting Requirements**

Each regional education service center shall provide to the Texas Education Agency an organizational chart and personnel roster, as prescribed by the agency, before the beginning of each fiscal year.

VI. ADMINISTRATION AND OPERATION

As entities in the state educational system, regional education service centers will be administered in conformance with state laws and State Board of Education rules that govern the establishment and operation of institutions within this system. Unique or different characteristics of education service center operations are recognized in State Board of Education rules that define the standards for administering the regional units.

The essential elements of regional education service center administration are planning, organizing, staffing, directing, and controlling an educational enterprise which is designed to provide services and leadership to school districts. Effective management involves making and implementing decisions that are based on appropriate data, proper communication, effective control, and regular appraisals for adjustment and change, as well as recognition of the consequences of decisions which are made.

A. Board of Directors

In its governing and policymaking roles, the board must ensure that the service center is administered and operated in accordance with applicable state and federal laws, State Board of Education rules, and other legal requirements. Board members are required to receive orientation based on the same training program provided for school board trustees.

B. Executive Director

As chief administrative officer, the executive director provides leadership in the delivery of regional services and establishes the administrative structure necessary to operate the center. The executive director's authority and responsibilities in administering the center include the following:

1. develop and implement procedures and standards for all facets of education service center operations;

2. establish priorities for most efficient use of available resources;

3. organize staff and resources to carry out required functions and to provide high quality services to districts;

4. design and implement systems for measuring effectiveness of center services and for making improvements based on acquired information.

C. Operational Schedule

1. Hours of Operation

Centers are expected to maintain hours of operation which best meet the needs of their clients. Each center will remain open a minimum of eight hours each day, Monday through Friday. The normal hours of operation will be 8:00 a.m. until 5:00 p.m. However, individual centers may operate on a flex-time basis or extended hours for special purposes. In unique situations, centers may shorten the workday for specific reasons.

2. **Days of Operation**

Each center will operate a minimum of 240 days in accordance with an annual calendar filed with the Texas Education Agency before the beginning of each fiscal year.

D. **Financial**

1. **General**

Regional education service centers receive funding from the following sources: school districts, state funds administered through the Texas Education Agency, state funds administered through other state agencies, federal funds administered through the Texas Education Agency and federal funds administered through federal or other agencies, and private agencies.

These funds are allocated to the education service center in the following ways:

a. formula basis, e.g., number of students served;

b. application basis in accordance with application guidelines set by the grantor;

c. contract or agreement basis, i.e., an amount stipulated in a contract for services to be performed by the regional education service center; and

d. contract resulting from a request for proposal solicited by the administering agency, i.e., federal, state, local, or private.

There is not a clear relationship between the level of funding provided by the state--or any other single funding agency--and the total level of service provided to school districts by service centers. Therefore, it is necessary for the education service center to coordinate funds from a variety of sources and apply these resources to improve quality in the state education process. This system of funding places on the service centers a special responsibility in accounting for resources from various funding sources and in fully disclosing the use of funds for services, and the expenditures of funds for support and administrative costs in operating the service center.

Service centers, as separate entities, require a working capital necessary to ensure a positive cash reserve for the delivery of services and for the continuing operation of the center. The maximum allowable cash reserve or fund balance that an education service center may retain at the close of the fiscal year has been established by the State Board of Education. Balances in excess of those established in the State Board of Education rules result in adjustments in the allocation of state base funds the education service center would otherwise receive on the basis of average daily attendance.

State Board of Education rules prescribe certain standards to be adhered to by regional education service centers in the receipt, custody, and use of public funds. The standards and procedures to be applied are set forth in the Texas Education Agency Bulletin 679, Financial Accounting Manual, which has been adopted by reference as a rule of the State Board of Education.

2. **Principles and Policies for Budgeting, Accounting, Auditing, and Reporting**

The principles and policies contained in Bulletin 679, Financial Accounting Manual, and summarized herein, constitute minimum requirements for the system of budgeting, accounting, auditing, and reporting that shall be adhered to by regional education service centers. An individual education service center may establish a system that expands upon these minimum requirements, except that such expansion shall not alter or distort data required to be disclosed in financial statements and other reports.

a. Generally Accepted Accounting Principles

The accounting system shall be kept in accordance with generally accepted accounting principles and shall present fairly and with full disclosure financial positions and results of financial operations in such a manner to determine and demonstrate compliance with finance-related legal and contractual provisions.

b. Central System - Fund Basis

The accounting system shall be the responsibility of a centralized unit or office within the organizational structure of the service center, and the accounting system shall be organized and operated on a governmental fund basis, limited to the following listed funds.

(1) General Fund: This fund consists of those programs financed from a variety of sources from which the unreserved fund balance is controlled by and retained for the use of the regional education service center for purposes established by law. Project accounting shall be employed to account for programs with legislation or rules requiring revenue and expenditure integrity.

(2) Special Revenue Fund: This fund consists of those special programs requiring accounting on a project basis to assure revenue and expenditure integrity. These special programs have limited project periods, and at the close of a project unused money is reclaimed by the grantor.

(3) Internal Service Fund: This fund is used to account for the financing of goods or services provided by one department or cost center to other departments or cost centers of the education service center. The pricing of these goods or services is on a cost reimbursement basis. Examples include the operation of a print shop for in-house printing, and a cost center within the organization that evaluates programs or projects operated by other cost centers.

(4) Trust and Agency Fund: This fund contains assets that are held in a trustee or custodial capacity, including:

(a) Expendable trust funds for local school district or other projects over which the regional education service center acts as fiscal manager. These include funds of cooperatives and other funds that are flow-through in nature.

(b) Nonexpendable trust funds whose principals are held intact. An example of this type of fund is a scholarship fund where a fixed sum of money is invested and resulting interest proceeds are used for scholarships.

(c) Agency funds that are custodial in nature and are set aside for a specific purpose, such as for payroll clearing.

c. Account Groups

The accounting system shall provide an account group to validate general fixed assets and general long-term debt.

d. Fixed Assets

Fixed assets shall be accounted for at cost or, if the cost is not practicably determinable, at estimated cost. Donated fixed assets shall be recorded at their estimated fair value at the time received. Fixed assets shall include land, buildings, improvements other than buildings, and certain furniture and equipment.

e. Basis of Accounting

The basis of accounting shall be on the modified accrual or accrual method, as appropriate for the fund.

f. Budgeting

The regional education service center board of directors shall develop and approve an annual operating budget for the center as provided for in State Board of Education rules. In accordance with Article III, General Appropriations Act of 1987, the Texas Education Agency develops a standardized reporting system for regional education service center budgets. Regional education service center budgets will be formulated, applied and reported in accordance with the procedures established by the commissioner. As stated in the General Appropriations Act of 1987, in order to expend state funds, service centers must comply with the prescribed reporting requirements and provide necessary information to the commissioner of education.

In instances where regional education service centers are not in compliance with the reporting requirements, the commissioner of education may withhold state funds until such time as the service center is in compliance with the reporting requirements.

(1) The annual budget shall show the estimated fund balance, revenue, and expenditures applicable to the fiscal year beginning September 1 and ending August 31. The annual budget shall be prepared in the form prescribed by the commissioner.

(2) The governing board of a regional education service center shall adopt the annual budget on or before August 31 of the prior year.

(3) The regional education service center shall file a copy of the annual budget with the Texas Education Agency on or before the dates designated by that agency.

(4) The annual budget may be amended as needed by the regional education service center's governing board. Amendments, before the fact, shall be made whenever it is determined that fund revenues will be materially less than estimated and/or whenever budgeted expenditures will be exceeded.

g. Reporting

Interim and annual financial reports and other reports shall be prepared to satisfy regional education service center management needs and mandates of law or regulations.

(1) Appropriate interim financial statements and reports of financial position, operating results, and other pertinent information shall be prepared to facilitate management control of financial operations, legislative oversight and, where necessary or desired, for external reporting purposes.

(2) A comprehensive annual financial report covering all funds and account groups of the regional education service center--including appropriate combined, combining, and individual fund statements; notes to the financial statements; schedules; narrative explanations; and statistical tables--shall be prepared and published. The period of the report shall be the fiscal year beginning September 1 and ending August 31.

(a) The comprehensive annual financial report, with the auditor's opinion, shall be reviewed and approved or disapproved by the regional education service center's governing board. If disapproved, a written statement as to the reason or reasons for disapproval shall be made part of the report.

(b) On or before the date established by the Texas Education Agency, following the close of the ending date of the comprehensive annual financial report, a copy of said report, accompanied by the auditor's opinion and the regional education service center's governing board approval or disapproval, shall be filed with the Texas Education Agency.

h. Auditing Requirements

A financial audit will be conducted annually by an independent auditor. This audit will be performed in accordance with the requirement established in Bulletin 679, Financial Accounting Manual. The report of audit including the opinion of the independent auditor shall be submitted to the state agency for review as prescribed in Bulletin 679, Financial Accounting Manual.

VII. ACCOUNTABILITY

As entities in the state educational system, regional education service centers share in the commitment to leadership, excellence, efficiency, and accountability in the education process, and in the use of public resources.

Each regional education service center shall develop a system of planning, implementing, and evaluating that ensures prudent and legal utilization of public resources, and reporting procedures that will document the results of the system. Evaluation findings will be used to promote quality in the provision of services and economy in the use of public resources. The foregoing elements are inherent responsibilities of education service center governance and management.

A. Accountability Requirements

The system of accountability in the delivery of regional services shall include the following activities:

1. Annual Comprehensive Application

A comprehensive application system for all funds received by the regional education service center, regardless of funding source, will be implemented.

In this system, each regional education center will submit annually a comprehensive application to the Texas Education Agency for review and approval. The application will contain information relating to service, budgets, funding source, contractual arrangements, and reporting requirements for each program/service/project. This comprehensive application system will be the process used by centers to apply for funding for programs specified by the commissioner.

This system will be used for defining performance based contracts between the centers and the Texas Education Agency for the provision of core services.

2. Annual Performance Report

Each regional education service center will prepare and submit to the Texas Education Agency an annual performance report.

The report will require performance data for each of the services specified in the regional education service center's comprehensive application and will contain general information on the administration and operation of the service center.

This report will disclose the service center's accomplishments compared with the commitments contained in the comprehensive application and official budgets. In addition, the performance report will provide information for a data base of regional education service center activities.

A copy of the annual performance report shall be provided to each school district within the region.

3. **Management and Service Audits**

These audits are required by legislative mandate to be performed at least once each five-year period for each service center. These audits are extensive in scope and usually identify any areas of significant weaknesses or strengths in regional education service center management and operations. The management and services audit procedure will involve management audit procedures developed for use by school districts (as modified to fit service centers). The process includes a non-biased assessment of services by direct recipients or users. On-site follow-up audits may be conducted in selected instances to verify correction of reported deficiencies.

As part of the audit reporting process, the regional education service center board of directors will be included in the exit briefing and discussion of the audit results. In addition to submitting copies of the audit report to the executive director and board of directors, copies will be made available to the Governor's Budget Office, Legislative Reference Library, Legislative Budget Board, and Texas State Library upon request. Copies of the report will also be made available to school officials in the region and other service centers upon request.

Results of the management and service audits will be reported to the State Board of Education.

4. **Monitoring of Regional Education Service Center Compliance with Program Guidelines**

Regional education service center programs that are supported with funds administered by the Texas Education Agency will be subject to an on-site review by agency staff at least once during each five-year period.

The purpose of this monitoring is to verify that service center practices and program accomplishments are in compliance with the guidelines and assurances contained in the approved applications for funds. Where necessary, certain programs within a center may be subject to a follow-up monitoring to ensure implementation by the regional education service center of appropriate corrective actions.

5. **Annual Financial Audit**

An annual financial audit by an independent auditor is required of each regional education service center. This audit provides a report that conforms to the detailed audit requirements contained in the Texas Education Agency Bulletin 679, Financial Accounting Manual.

The audit report is submitted to the regional education service center board of directors for review and acceptance and is then submitted to the Texas Education Agency for analysis.

This analysis identifies any noncompliance with prescribed accounting and reporting procedures. Identified areas of noncompliance are reported to the regional education service center for corrective actions.

6. **Annual Budget Review**

As provided for in State Board of Education rules, the regional service center board of directors shall develop and approve an annual operating budget for the center. In accordance with Article III, General Appropriations Act 1987, the Central Education Agency develops a standardized reporting system for regional education service center budgets.

7. **Evaluation of Center Effectiveness**

The Texas Education Agency will conduct an evaluation of the quality of core services delivered by each of the regional education service centers. The evaluation will be based on standard, objective measures that can be used across the regions. The evaluation will consider the possibility that different procedures may be necessary to evaluate each of the services. Evaluation data will be collected from the actual recipients, or users, of the services. Collection of evaluation data from non-users may also occur where deemed important to evaluate the quality of services delivered. The evaluation of elements of quality such as timeliness, cost-effectiveness, and availability of the service may be supplemented with an evaluation of the long-term utility, usefulness, and effectiveness of the service.

8. **Annual Review of Each Regional Education Service Center's Effectiveness by the Commissioner of Education**

The accountability activities identified in items (1) through (7) above provide the basis for an overall review of regional education service center effectiveness. In combination, these elements provide information needed to evaluate management effectiveness in the major aspects of regional education service center operations, e.g., finance, services, personnel, etc.

The results of this review will be reported annually to the regional education service center board of directors, the State Board of Education, and other interested agencies. This report will identify strengths and weaknesses of individual regional education service centers and the regional delivery system concept.

VIII. SANCTIONS

The commissioner of education may impose sanctions whenever it is determined that the education service center governance or management is operating the center in violation of law, State Board of Education rules and/or provisions of grants, contracts or other regulations. Sanctions may also be imposed on education service centers for failure to provide core services in accordance with State Board of Education or commissioner directives or for failure to provide adequate leadership or management of the center.

These sanctions shall be in accordance with State Board of Education rules and Section 21.254 of the Texas Education Code.

A. Sanctions

Sanctions may include one or more of the following:

1. Transfer of service delivery responsibility to another service center.

2. Directing the board of directors to withhold the executive director's salary in accordance with Section 21.254 of the Texas Education Code.

3. Suspension of any or all state funds, and any or all federal funds to the extent permitted by federal law.

4. Removal of any or all of the members of the regional board of directors. In the event that any board member is removed from office, a new board member shall be elected in accordance with State Board of Education rules. In the event the entire board is removed, the functions of the board of directors in the election process shall be performed by the officers of the regional advisory committee. No member of the board of directors who has been removed by the commissioner shall be eligible for re-election or for appointment to the board.

5. Removal of the executive director of the regional education service center. In the event that an executive director is removed from office, the commissioner of education shall appoint an acting executive director who shall serve pending the selection of an executive director in accordance with State Board of Education rules.

B. Procedure

1. Prior to the imposition of any sanction, the commissioner of education shall give notice of his intention to impose sanctions. The notice shall be given in writing to the members of the board of directors of the regional education service center, to the executive director, and to the chief fiscal officer of the service center. The notice shall specify the nature of the alleged violation and the nature of the sanction which the commissioner intends to impose.

2. The regional education service center board of directors, executive director or any officer thereof against whom any proposed sanction is directed may request a hearing before the commissioner of education. A request for hearing must be received by the commissioner within 10 days

of the receipt of notice of the commissioner's intention to impose sanctions. After a hearing, or in the event no hearing has been requested within the time specified in this subsection, the commissioner of education may impose any or all of the sanctions described in his notice of intent as he deems necessary.

3. If a regional education service center board of directors, executive director or any officer thereof requests a hearing before the commissioner of education, the hearing shall be conducted within 15 days of the commissioner's receipt of the request unless the time for the hearing is extended by the commissioner. At the hearing, the burden shall be on the regional education service center to show cause why the proposed sanctions should not be imposed.

4. A regional education service center board of directors, executive director or any officer thereof against whom any action is directed may appeal any final action of the commissioner under rules of the State Board of Education. Such an appeal shall be based upon the record of the hearing before the commissioner. Notice of appeal to the State Board of Education must be filed with the commissioner of education within 10 days after receipt of notice of final action ordered by the commissioner. The order of the commissioner shall be in effect unless and until reversed or modified by the State Board of Education.

5. Sanctions imposed by the commissioner shall be reported to the State Board of Education at the next regular meeting of the board.

APPENDIX A

STATUTES PERTAINING TO REGIONAL EDUCATION SERVICE CENTERS

§11.32. Regional Education Service Centers

(a) The State Board of Education shall provide, by rules and regulations, for the establishment and operation of Regional Education Service Centers to provide educational services to the school districts and to coordinate educational planning in the region.

(b) Regional centers shall be located throughout the state so that each school district has the opportunity to be served and to participate in an approved center, on a voluntary basis. No center shall be approved unless it serves an area having 50,000 or more eligible scholastics in average daily attendance for the next preceding school year, except that the State Board of Education may make an exception for sparsely populated areas.

(c) Each center shall be governed by a seven-member board. The State Board of Education shall adopt uniform rules and regulations to provide for the local selection, appointment, and continuity of membership for regional boards of directors. Vacancies shall be filled by appointment by the remaining members of the regional board for the unexpired term. All members shall serve without compensation.

(d) The Regional Board of Directors is authorized to employ an executive director for its respective center and such other personnel, professional and clerical, as it deems necessary to carry out the functions of the center, and to do and perform all things which it deems proper for the successful operation thereof, and to pay for all operating expenses by warrants drawn on proper funds available for such purpose.

(e) The Regional Board of Directors of each Regional Education Service Center, under rules of the State Board of Education, may enter into contracts for grants from both public and private organizations and to expend such funds for the specific purposes in accordance with the terms of the contract with the contracting agency.

(f) Basic costs for the provision of regional education services to school districts and coordination of educational planning in the region and for administrative costs necessary to support these services shall be paid from the Foundation School Fund. Each Regional Education Service Center shall receive an annual allotment of $200,000, with the remainder of the funds available under the provisions of this subsection to be allocated to the Regional Education Service Centers on the basis of the average daily attendance within the area of operation for each Regional Education Service Center as determined for the next preceding school year. The allotment amounts here authorized to be granted by the State Board of Education shall not exceed in any year a sum equal to .45 percent multiplied by the following specified elements of cost contained in the Foundation School Program for the current school year: salaries, maintenance and operation, vocational operating costs, transportation-regular, transportation-special education, transportation-vocational

education, agency administration, other special education programs, vocational contract services, bilingual education preschool non-English speaking, preschool deaf, compensatory education, driver education, and minimum aid.

(g) Each Regional Education Service Center, within each five-year period shall:

(1) perform a self-study of the effectiveness of its services to school districts;

(2) invite a panel of distinguished personnel from other service centers, public school administrators, and other persons deemed appropriate by the service center board to evaluate the practices and services provided by the service center; and

(3 be subject to a management and service audit conducted by the Central Education Agency.

§11.33. General Powers and Duties of Regional Education Service Centers

(a)(1) Regional Education Media Centers shall be established and operated by Regional Education Service Centers under rules of the State Board of Education in order to furnish participating school districts with education media materials, equipment and maintenance, and educational services.

(2) Centers approved by the State Board of Education as meeting their requirements shall develop, provide, and make available to participating school districts education media services.

(3 A Regional Education Media Center is an area center, composed of one or more Texas school districts, that is approved to house, circulate, and service educational media for the public schools of the participating districts.

(4) Any school district which is a participant member of a Regional Education Media Center may elect to withdraw its membership in the center for a succeeding scholastic year, electing not to support nor to receive its services for any succeeding year. Title to and all educational media and property purchased by the center shall remain with and in the center.

(5) The cost incident to setting up the centers, their operation, and the purchase of education media supplies and equipment shall be borne by the state and each participating district to the extent and in the manner provided in this subsection.

(6) The state shall allot and pay to each approved center annually an amount determined on the basis of not to exceed $1, or a greater amount provided by the General Appropriations Act, for each scholastic in average daily attendance for the next preceding school year in the district or districts that are participants in an approved center. The funds or amount provided by the state shall be used only to purchase, maintain, and service educational media or equipment for the center

which have prior approval of its Regional Board of Directors and the State Board of Education through its budgetary system.

(7) School districts as participant members in the center shall provide and pay to the proper center a proportionate amount determined on the basis of the average daily student attendance for the next preceding school year matching the amount provided by the state. The matching funds provided by the participant districts, including any donated or other local funds, may be used to pay for costs of administration of or servicing by the center and to purchase supplemental educational media. A center shall not enter into obligations which shall exceed funds available or reasonably anticipated as receivable for the current school year.

(8) Annually, pursuant to such rules and procedure as may be prescribed by the State Board of Education, the governing board of each center shall determine the rate per pupil based on average daily student attendance the next preceding school year, not to exceed the limit prescribed in this subsection, which shall constitute the basis for determination of total amount to be transmitted by participant districts to the center and as matching funds from the state's contribution to this program.

(9) The state's share of the cost in the regional media centers program shall be paid from the Foundation School Fund, and this cost will be considered by the Foundation Program Committee in estimating the funds needed for foundation program purposes. Nothing in this subsection shall be construed to prohibit a center from receiving and utilizing matching funds in any amount for which it may be eligible from federal sources.

(b)(1) A program of financial assistance for computer services to school districts of the state through Regional Education Service Centers shall be developed by the State Board of Education to encourage a planned statewide network or system of computer services designed to meet public school educational and informational needs. Toward achievement of maximum efficiency and to insure a practicable uniformity in services, the State Board of Education, by rules and regulations, shall adopt eligibility requirements for data processing computer services to receive the state financial assistance authorized herein.

(2) Only computer services that are provided by or through a Regional Education Service Center to make available computer services required to meet the needs of the school districts of one or more Education Service Center regions shall be eligible for financial assistance hereunder.

(3) The State Board of Education annually shall approve a state assistance allotment for computer services to be paid to eligible Regional Education Service Centers that qualify, and in an amount to be determined under rules and regulations adopted by the State Board of Education for that purpose; provided that the allotment amounts here authorized to be granted by the State Board of Education shall not exceed in any year a sum equal to $1, or a greater amount provided by the General Appropriations Act, multiplied by the average daily

attendance in the public schools of Texas as determined for the next preceding school year.

(4) The state's share of the cost of this program authorized by this subsection shall be paid from the Foundation School Fund, and this cost shall be considered by the Foundation School Fund Budget Committee in estimating the funds needed for Foundation School Program purposes.

(c)(1) The State Board of Education shall promulgate rules, in compliance with the approved statewide design for special education, to provide for a plan for the coordination of services to handicapped children within each geographical area served by a Regional Education Service Center. Regional Education Service Centers, under the procedures set forth in this plan, may provide supplementary or technical assistance to school districts for:

(A) identification of existing public or private educational and related services for handicapped children in each region;

(B) identification and referral of handicapped children who cannot be appropriate served by the school district in which they reside to other appropriate programs;

(C) assistance to school districts individually and cooperatively to develop programs to identify and provide appropriate services for handicapped children;

(D) expansion and coordination of services provided by Regional Education Service Centers which are related to programs for handicapped children; and

(E) provision for special services such as special seats, books, instructional media, and other supplemental supplies and services required for quality instruction.

(2) The responsibility for carrying out the provisions of this subsection rests with the commissioner of education, who may allocate funds to regional service centers for the provision of support services for the functions described in this subsection.

(d) Regional Education Service Centers may provide other services to school districts under rules and regulations adopted by the State Board of Education.

§11.202. School Volunteer Program

(a) It is the public policy of the State of Texas that citizen participation in the public schools as volunteers is desirable and a means of more effectively meeting the goals of public education.

(b) The commissioner of education, with the approval of the State Board of Education, shall develop and implement a program to supply volunteer assistance to the public schools of this state. The supply of volunteers shall be coordinated through the Regional Education Service

Centers. School districts served by the service centers may either utilize or refuse the services provided under the program.

(c) Each Regional Education Service Center shall employ a person in the position of regional coordinator of school volunteers, and the Central Education Agency shall employ a person in the position of statewide coordinator of school volunteers. The commissioner of education shall establish the minimum qualifications for both positions and shall add the positions to the Texas Public Education Compensation Plan at pay grade 8 for 11 months of service. The regional coordinator of school volunteers shall develop materials, design recruitment procedures, and provide demonstration models and general assistance to school districts choosing to operate school volunteer programs. The statewide coordinator shall develop materials, provide demonstration models, and design recruitment procedures to assist the regional coordinators in recruiting volunteers.

(d) Volunteers may not be used to usurp, diminish, or replace the position or functions of salaried professionals or paraprofessionals.

(e) The costs of the program shall be paid from the foundation school fund.

§17.96. Transfer of Certain Powers and Duties

(c) The powers and duties of an abolished office of county school superintendent or ex officio county school superintendent relating to cooperative agreements between districts for the employment of special service teachers, counselors, supervisors, or other personnel vest in the governing board of the regional education service center embracing the county.

§21.501. Statewide Plan (Special Education Program)

The State Board of Education shall develop, and modify as necessary, a statewide design for the delivery of services to handicapped children in Texas which includes rules for the administration and funding of the special education program so that a free appropriate public education is available to all handicapped children between the ages of three and 21. The statewide design shall include, but may not be limited to, the provision of services primarily through local school districts and special education cooperatives, supplemented by a regional delivery structure. The board shall further develop and implement a statewide plan with programmatic content which includes procedures designed to:

(3) assess statewide personnel needs in all areas of specialization related to special education on a periodic basis and pursue strategies to meet those needs through a consortium of representatives from regional education service centers, local education agencies, and institutions of higher education and through other available alternatives;

(4) ensure that regional education service centers throughout the state maintain a regional support function, which may include direct service delivery and a component designed to facilitate the placement of handicapped students who cannot be appropriately served within their resident districts;

§21.702. Content of Approved Programs (Discipline Management Programs)

To be approved, a discipline management program must:

(2) encourage the use of the regional education service center to assist in developing the program and providing training to teachers and administrators;

§21.755. Investigators' Report

The investigators shall report verbally and in writing to the board of trustees of the district and, and appropriate, to any campus administrators, and shall make suggestions concerning any necessary improvements or sources of aid, such as educational service centers.

§23.33. Member Training Orientation (Powers and Duties of Trustees)

(c) The State Board of Education may provide for a course to be offered by the regional education service centers and may approve private organizations to offer courses following the board's review of an outline of the proposed courses to determine its conformity with the statewide standards. Registration for a course offered through service centers must be open to any interested person, including current and prospective board members, and the state board may prescribe a registration fee designed to offset the costs of providing that course.

APPENDIX B

TITLE 19, PART II
TEXAS ADMINISTRATIVE CODE
CHAPTER 53, EDUCATION SERVICE CENTERS

CHAPTER 53

REGIONAL EDUCATION SERVICE CENTERS

Subchapter A. AUTHORIZATION

53.1 General Provisions.
53.2 Services to Member Schools.
53.3 Location of Centers.

Subchapter B. ADMINISTRATION AND OPERATION

53.21 Working Arrangements.
53.22 Staff.
53.23 Fiscal Records and Accounting.
53.24 Accountability Requirements.
53.25 Powers of the Commissioner of Education to Impose Sanctions.

Subchapter C. [Reserved]

Subchapter D. PROVISIONS OF COMPUTER SERVICES TO SCHOOL DISTRICTS

53.71 General Provisions.
53.72 Definitions.
53.73 Multi-Regional Processing Center (MRPC) Management Committees.
53.74 Commissioner's Advisory Council for Regional Services.
53.75 Role of the Central Education Agency in the Statewide System of Computer Services.
53.76 Reporting.
53.77 Funding.

SUBCHAPTER A. AUTHORIZATION

Source: The provisions of this Subchapter A adopted November 1986 to be effective December 1, 1986, 11 TexReg 4710.

§53.1 General Provisions.

Statutory Citation

Texas Education Code, §11.32:

"(a) The State Board of Education shall provide, by rules and regulations, for the establishment and operation of Regional Education Service Centers to provide educational services to the school districts and to coordinate educational planning in the region."

"(c) Each center shall be governed by a seven-member board. The State Board of Education shall adopt uniform rules and regulations to provide for the local selection, appointment, and continuity of membership for regional boards of directors. Vacancies shall be filled by appointment by the remaining members of the regional board for the unexpired term. All members shall serve without compensation."

Texas Education Code, §11.33:

"(d) Regional Education Service Centers may provide other services to school districts under rules and regulations adopted by the State Board of Education."

Rule

(a) Regional education service centers shall operate to provide to school districts services that promote equalization of educational opportunities and the highest possible level of quality in instruction and related services to students. Regional education service centers shall participate as service agencies in the planning, development, coordination, implementation, and evaluation of educational programs and in educational research. Services and research efforts by the regional education service center shall be consistent with the mission, goals, and objectives for public education in Texas. Regional education service centers shall operate in accordance with state and federal laws, rules of the State Board of Education, and provisions of the state plan for regional education service centers.

(b) The commissioner shall recommend and the State Board of Education shall adopt a state plan for regional service centers that serves as the charter under which the centers operate and provide services to districts. The State Board of Education shall periodically review the state plan for regional education service centers.

(c) In order to facilitate cooperative planning in the region and to promote quality, regional education service centers and institutions of higher education shall establish and maintain a close working relationship to accomplish mutual goals.

(d) The education service centers shall be supported by state funds, federal funds, and grants from or contracts with other private and public organizations for purposes identified in §53.2 of this title (relating to Services to Member Schools).

§53.2 Services to Member Schools.

(a) Each regional education service center shall develop and provide to member schools services in the core service areas specified in the state plan for regional education service centers. Specific core service tasks and outcomes are to be defined by the commissioner of education. Other services may be offered on a free-market basis outside regional boundaries.

(b) The commissioner of education may assign additional responsibilities to one or more regional education service centers to assist the Central Education Agency in support of statewide educational programs.

§53.3 Location of Centers.

(a) Regional education service centers shall be located throughout Texas so that each school district has the opportunity to be served on a voluntary basis.

(b) The regional education service center site in each of the geographic regions shall be located by action of the board of directors and approved by the State Board of Education.

(c) Approved centers shall serve a geographic area having 50,000 or more eligible scholastics in average daily attendance. The State Board of Education may make an exception for sparsely populated areas.

(d) The assignment of counties to regions shall be made by the State Board of Education. All boundary lines of regions shall coincide with county lines except where a school district is in two or more counties in which case it shall be served from the region encompassing its county of jurisdiction. Further exception may be made in assignment of a county line district when evidence of hardship or other unusual circumstances is presented to support a request for reassignment to the adjoining region.

(e) The assignment of counties to each of the service center regions and a state map showing the boundaries of the regions are as follows:

(1) Region I. Cameron, Hidalgo, Jim Hogg, Starr, Webb, Willacy, and Zapata counties.

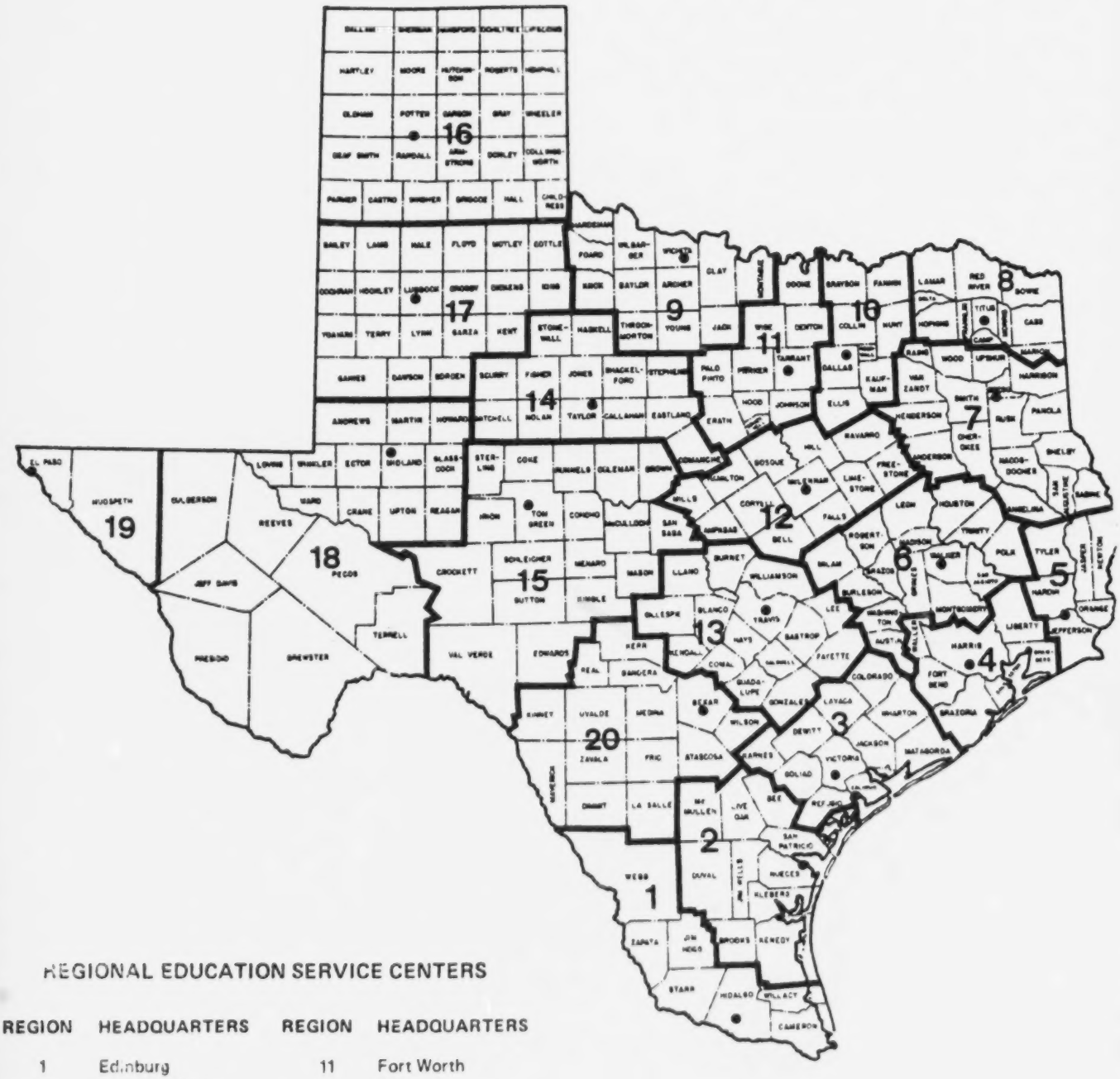
(2) Region II. Aransas, Bee, Brooks, Duval, Jim Wells, Kenedy, Kleberg, Live Oak, McMullen, Nueces, and San Patricio counties.

(3)	Region III.	Calhoun, Colorado, DeWitt, Goliad, Jackson, Karnes, Lavaca, Matagorda, Refugio, Victoria, and Wharton counties.
(4)	Region IV.	Brazoria, Chambers, Fort Bend, Galveston, Harris, Liberty, and Waller counties.
(5)	Region V.	Hardin, Jasper, Jefferson, Newton, Orange, and Tyler counties.
(6)	Region VI.	Austin, Brazos, Burleson, Grimes, Houston, Leon, Madison, Milam, Montgomery, Polk, Robertson, San Jacinto, Trinity, Walker, and Washington counties.
(7)	Region VII.	Anderson, Angelina, Cherokee, Gregg, Harrison, Henderson, Nacogdoches, Panola, Raines, Rusk, Sabine, San Augustine, Shelby, Smith, Upshur, Van Zandt, and Wood counties.
(8)	Region VIII.	Bowie, Camp, Cass, Delta, Franklin, Hopkins, Lamar, Marion, Morris, Red River, and Titus counties.
(9)	Region IX.	Archer, Baylor, Clay, Foard, Hardeman, Jack, Knox, Montague, Throckmorton, Wichita, Wilbarger, and Young counties.
(10)	Region X.	Collin, Dallas, Ellis, Fannin, Grayson, Hunt, Kaufman, and Rockwall counties.
(11)	Region XI.	Cooke, Denton, Erath, Hood, Johnson, Palo Pinto, Parker, Somervell, Tarrant, and Wise counties.
(12)	Region XII.	Bell, Bosque, Coryell, Falls, Freestone, Hamilton, Hill, Lampasas, Limestone, McLennan, Milis, and Navarro counties.
(13)	Region XIII.	Bastrop, Blanco, Burnet, Caldwell, Comal, Fayette, Gillespie, Gonzales, Guadalupe, Hays, Kendall, Lee, Llano, Travis, and Williamson counties.
(14)	Region XIV.	Callahan, Comanche, Eastland, Fisher, Haskell, Jones, Mitchell, Nolan, Scurry, Schackelford, Stephens, Stonewall, and Taylor counties.
(15)	Region XV.	Brown, Coke, Coleman, Concho, Crockett, Edwards, Irion, Kimble, McCulloch, Mason, Menard, Runnels, San Saba, Schleicher, Sterling, Sutton, Tom Green, and Val Verde counties.
(16)	Region XVI.	Armstrong, Briscoe, Carson, Castro, Childress, Collingsworth, Dallam, Deaf Smith, Donley, Gray, Hall, Hansford, Hartley, Hemphill, Hutchinson, Lipscomb, Moore, Ochiltree, Oldham, Parmer, Potter, Randall, Roberts, Sherman, Swisher, and Wheeler counties.

(17)	Region XVII.	Bailey, Borden, Cochran, Cottle, Crosby, Dawson, Dickens, Floyd, Gaines, Garza, Hale, Hockley, Kent, King, Lamb, Lubbock, Lynn, Motley, Terry, and Yoakum counties.
(18)	Region XVIII.	Andrews, Brewster, Crane, Culberson, Ector, Glasscock, Howard, Jeff Davis, Loving Martin, Midland, Pecos, Presidio, Reagan, Reeves, Terrell, Upton, Ward, and Winkler counties.
(19)	Region XIX.	El Paso and Hudspeth counties.
(20)	Region XX.	Atascosa, Bandera, Bexar, Dimmit, Frio, Kerr, Kinney, LaSalle, Maverick, Medina, Real, Uvalde, Wilson, and Zavala counties.

(f) Satellite centers may be established by action of center boards of directors subject to approval by the commissioner of education.

(g) The State Board of Education shall periodically review the number, location, and boundaries of regional education service centers, and considering demographic and other factors may change the existing structure when such changes will enhance effectiveness, economy, or provision of services.



REGIONAL EDUCATION SERVICE CENTERS

REGION	HEADQUARTERS	REGION	HEADQUARTERS
1	Edinburg	11	Fort Worth
2	Corpus Christi	12	Waco
3	Victoria	13	Austin
4	Houston	14	Abilene
5	Beaumont	15	San Angelo
6	Huntsville	16	Amarillo
7	Kilgore	17	Lubbock
8	Mount Pleasant	18	Midland
9	Wichita Falls	19	El Paso
10	Richardson	20	San Antonio

SUBCHAPTER B. ADMINISTRATION AND OPERATION

Source: The provisions of this Subchapter B adopted November 1986 to be effective December 1, 1986, 11 TexReg 4710.

§53.21 Working Arrangements.

(a) General provisions. Education service centers operate in the state educational system as nonregulatory regional units that support and assist the Central Education Agency in the development and implementation of educational programs. The functional interrelationships and working arrangements among elements of the state education system that impact on the regional delivery of services are defined in the state plan for regional education service centers.

(b) Board of Directors.

(1) The service center board of directors is charged with the development of policies to ensure sound management and operation of the regional education service center within state laws and the rules of the State Board of Education, and to ensure responsiveness to the needs of the school districts in the region. A copy of current regional board policies shall be filed with the Central Education Agency.

(2) The board is accountable to constituents in the region for the delivery of services that are responsive to the needs of school districts and consistent with the mission, goals, and objectives of the State Board of Education.

(3) The board of directors is accountable through the commissioner of education to the State Board of Education for operation of the center in accordance with state laws and the rules of the State Board of Education.

(4) The board of directors shall operate in accordance with the provisions of the state plan for regional education service centers.

(5) The board of directors shall be elected in accordance with the following procedures.

(A) Board members must be citizens of the United States, more than 21 years of age, and residents of the region being served by the center. They may not be engaged professionally in education in a public school district, be a member of the school district board of trustees, or be a member of the board of any institution of higher education.

(B) Any eligible person wishing to seek election to membership on a regional education service center board shall file at the headquarters office of the center in person or by certified mail between February 1 and February 20. No filing fee shall be required. Regional boards of directors shall adopt policies concerning filing procedures.

(C) Notice of the time and place for filing shall be submitted for publication to appropriate newspapers in the region, and to the regional advisory committee, and posted in appropriate locations by February 1.

(D) A ballot shall be developed and submitted to all local school boards in the region by March 1. Placement on the ballot shall be determined by drawing. Each local school board member shall have one vote for each vacancy on the board. Completed ballots shall be returned to the chairman of the regional board of directors by April 5. The board of directors shall canvass the ballots at its next regularly scheduled or special meeting, but not later than May 31, and determine the winner by a plurality of the votes cast. In the event of a tie the names of the candidates who have tied shall be resubmitted to the local school boards.

(c) Regional advisory committee.

(1) In each region there is a regional advisory committee of the education service center whose membership shall be determined in accordance with provisions of the state plan for regional education service centers.

(2) The regional advisory committee shall:

(A) consult and advise with the board of directors on matters concerning educational services provided by the regional education service center;

(B) provide information to the executive director regarding school district needs and appropriateness and quality of services provided; and

(C) conduct an annual evaluation and report to the board of directors on the quality of services rendered, the effectiveness of center operations, and the appropriateness of program development efforts.

(d) Statewide advisory commission. A statewide advisory commission on education service centers serves in an advisory capacity to the State Board of Education. The statewide advisory commission on education service centers is composed of the chairman of each board of directors. This commission shall meet annually with the chairman of the State Board of Education and the commissioner of education to provide a forum to plan, to communicate, and to facilitate the delivery of services in accordance with the mission, goals, and objectives of the State Board of Education.

(e) Commissioner's advisory council for regional services. An advisory council composed of the executive directors of the regional education service centers shall meet upon call by the commissioner of education to assist in the development of comprehensive plans for programs to be carried out through the regional education service centers in cooperation with the Central Education Agency, member schools, and institutions of higher learning and other agencies. The structure and functions of the commissioner's advisory council shall be designated by the commissioner.

(f) Institutions of higher education. The board of directors shall adopt policies that encourage close working relationships and cooperative delivery arrangements with the institutions of higher education conducting teacher training programs within the region.

§53.22 Staff.

(a) General provisions. The regional board of directors shall employ personnel as needed to carry out the functions of the center and to ensure its successful operation. Staffing structure shall be consistent with position titles and functions specified in the state plan. The board of directors shall adopt policies for effective minority recruitment with the objective of attaining a qualified professional staff that is reflective of the ethnic composition of the professional staff of the public schools of Texas.

(b) Staff selection.

(1) The regional board of directors shall employ an executive director in accordance with the following procedures.

(A) The board notifies the commissioner of education that a vacancy exists.

(B) The board drafts a list of competencies it expects the executive director to possess. This will provide a guide for the board in identifying and employing the best possible applicant.

(C) The board drafts a job vacancy notice which includes the draft list of competencies and position qualifications.

(D) The board designates a search committee to assist with the initial steps in the selection process.

(E) The board sends the draft list of competencies, the job vacancy notice, and the list of search committee members to the commissioner of education for approval. As part of the approval process, the commissioner of education may meet with the board to review and revise documents as necessary.

(F) After approval, the job vacancy notices are distributed as follows:

(i) commissioner of education;

(ii) each of the 20 regional education service centers;

(iii) each school district within the region; and

(iv) other (optional).

(G) Notices of the job vacancy are posted for a period of at least 30 days from the date of the announcement, and applications are accepted during that time.

(H) All qualified applicants are given equal consideration, and no person shall be excluded on the grounds of race, religion, color, national origin, sex, handicap, or age (except where handicap or age constitutes a bona fide impediment to the proper and efficient fulfillment of the duties of this position).

(I) The search committee narrows the field of applicants to three-five finalists and notifies the board. The board then provides the commissioner a list of all qualified candidates with the selected finalists identified. The commissioner may approve the list or may choose to interview the finalists prior to making a decision. If fewer than two finalists are approved by the commissioner, the board may direct the search committee to develop another list of finalists.

(J) Upon receipt of approval from the commissioner of education, the board initiates the final steps in the selection process.

(K) The board of directors as a whole interviews each of the finalists, selects the best qualified applicant, and notifies the commissioner of education of its decision.

(2) The board of directors confirms employment of other staff who are recommended by the executive director. Qualifications of personnel employed shall equal or exceed those which are required by school districts with similar duties and responsibilities. Professional personnel shall possess appropriate training, experience, and certification to perform assigned responsibilities and functions competently and effectively.

(3) Each regional education service center shall provide to the Central Education Agency an organization chart and personnel roster for each fiscal year.

(c) Salaries.

(1) An annual salary schedule including salary ranges for all positions shall be prepared according to provisions in the state plan for education service centers and approved by the education service center board of directors and submitted each year to the commissioner of education.

(2) Salary ranges, including fringe benefits, for executive directors shall be established by the commissioner of education in consultation with the regional board of directors. The salary range will take into consideration the size of the service center operation and the salaries of superintendents in the region.

(3) Employees of the regional education service center shall be eligible to contribute to and participate in the Teacher Retirement System of Texas.

§53.23 Fiscal Records and Accounting.

(a) The principles and policies contained in Bulletin 679, Financial Accounting Manual, constitute minimum requirements for the system of budgeting, accounting, auditing, and reporting that shall be adhered to by regional education service centers. An individual education service center may establish a system that expands upon these minimum requirements, except that such expansion shall not alter or distort data required to be disclosed in financial statements and other reports.

(b) In accordance with the Texas Education Code, §11.32(d), education service centers shall not enter into obligations which exceed funds available or anticipated to be available during the current school year.

(c) Each board of directors shall develop policy for the selection and use of a depository bank for its funds and shall notify the Central Education Agency of the selection. Policies relating to a depository bank shall be in accordance with applicable laws relating to independent school district depositories.

(d) Each education service center shall maintain a continuing inventory of all property. The inventory shall be available for review at all times by member schools or the Central Education Agency.

§53.24 Accountability Requirements.

(a) The system of accountability in the delivery of regional services shall include the following activities.

(1) Each regional education service center shall submit annually a comprehensive application to the Central Education Agency for review and approval. The application shall contain information relating to service design, administrative procedures, budgets, funding source, contractual arrangements, and reporting requirements for each program, service, and project regardless of funding source.

(2) Each regional education service center shall prepare and submit to the Central Education Agency an annual performance report for each of the services specified in the regional education service center's comprehensive application. The report shall disclose the service center's accomplishments compared with the commitments contained in the comprehensive application and official budgets. A copy of the annual performance report shall be available to each school district within the region.

(3) Management and service audits shall be conducted as provided in §109.24(d) of this title (relating to Field Audits and Reviews).

(4) Monitoring of regional education service center compliance with program guidelines shall be conducted as follows.

(A) Regional education service center programs that are supported with funds administered by the Central Education Agency shall be subject to an on-site review by agency staff at least once during each five-year period.

(B) The purpose of this monitoring is to verify that service center practices and program accomplishments are in compliance with the guidelines and assurances contained in the approved applications for funds. Where necessary, certain programs within a center may be subject to follow-up monitoring to ensure implementation by the regional education service center of appropriate corrective actions.

(5) Annual financial audits shall be provided in accordance with §109.25 of this title (relating to School District and Regional Education Service Center Independent Audits).

(6) Annual budget reviews shall be conducted as follows.

(A) The regional education service center board of directors shall develop and approve an annual operating budget for the center in accordance with the Texas Education Code, §23.42. The standardized reporting system for regional education service center budgets is specified in Bulletin 679, Financial Accounting Manual.

(B) In order to expend state funds, regional education service centers must comply with the prescribed reporting requirements and provide necessary information to the commissioner of education. In instances where regional education service centers are not in compliance with the reporting requirements, the commissioner of education may withhold state and/or federal funds until such time as the regional education service center is in compliance with the reporting requirements.

(7) The commissioner shall require reports concerning fund balances at the end of the fiscal year.

(8) The Central Education Agency shall provide for an evaluation of the quality of services delivered by each center in each of the core service areas. Such an evaluation shall include an assessment of service quality by direct users of the service.

(b) The accountability activities identified in subsections (a)(1)-(8) of this section provide the basis for an overall review of regional education service center effectiveness. Such a review shall be made annually by the commissioner of education. The results of this review shall be reported to the regional education service center board of directors, the State Board of Education, and other interested agencies. This report shall identify strengths and weaknesses of individual regional education service centers and the regional delivery system concept.

§53.25 Powers of the Commissioner of Education to Impose Sanctions.

(a) Whenever the commissioner of education determines that a regional education service center is operating in substantial violation of law, including constitutional, statutory, and regulatory provisions, fails to provide core services in accordance with State Board of Education or commissioner directives, or fails to provide adequate leadership or management of the center, the commissioner of education may, after notice and an opportunity for hearing, impose sanctions against the regional education service center, including one or more of the following:

(1) directing the board of directors to withhold the executive director's salary in accordance with the procedure provided in the Texas Education Code, §21.254;

(2) suspension of any or all state funds, and any or all federal funds to the extent permitted by federal law;

(3) removal of any or all of the members of the regional board of directors. In the event that any director is removed from office, a new director shall be elected in accordance with the procedure provided in the state plan for regional education service centers; or

(4) removal of the executive director of the regional education service center. In the event that an executive director is removed from office, the commissioner of education shall appoint an acting executive director who shall serve pending the selection of an executive director in accordance with §53.22(b) of this title (relating to Staff).

(5) Transfer of service delivery responsibility to another service center.

(b) Prior to the imposition of any sanction, the commissioner of education shall give notice of the intention to impose sanctions. The notice shall be given in writing to the members of the board of directors of the regional education service center, to the executive director, and to the chief fiscal officer. The notice shall specify the nature of the alleged violation of law and the nature of the sanctions which the commissioner intends to impose.

(c) The regional education service center board of directors, executive director, or any officer thereof against whom any proposed sanction is directed may request a hearing before the commissioner of education. A request for hearing must be received by the commissioner within 10 days of the receipt of notice of the commissioner's intention to impose sanctions. After a hearing, or in the event no hearing has been requested within the time specified in this subsection, the commissioner of education may impose any or all of the sanctions described in his notice of intent as he deems necessary.

(d) If a regional education service center board of directors, executive director, or any officer thereof requests a hearing before the commissioner of education, the hearing shall be conducted within 15 days of the commissioner's receipt of the request unless the time for the hearing is extended by the commissioner. At the hearing, the burden shall be on the regional education service center to show cause why the proposed sanctions should not be imposed.

(e) A regional education service center board of directors, executive director, or any officer thereof against whom any action is directed may appeal any final action of the commissioner under this section to the State Board of Education. Such an appeal shall be based upon the record of the hearing before the commissioner. Notice of appeal to the State Board of Education must be filed with the commissioner of education within 10 days after receipt of notice of final action ordered by the commissioner. The order of the commissioner shall be in effect unless and until reversed or modified by the State Board of Education.

(f) Sanctions imposed by the commissioner under this section shall be reported to the State Board of Education at the next regular meeting of the board.

(g) Notwithstanding any provision of this section, under extraordinary circumstances in which it is deemed that irreparable harm may result, the commissioner may issue temporary orders simultaneous with the issuance of the notice provided for in subsection (b) of this section. Such temporary orders may include a freezing of any or all accounts of a regional education service center and the suspension of any or all funds which otherwise would be transferred to the regional education service center. Any such temporary orders may, in the discretion of the commissioner, remain effective until the final order is entered.

SUBCHAPTER C. [RESERVED]

SUBCHAPTER D. PROVISION OF COMPUTER SERVICES TO SCHOOL DISTRICTS

Source: The provisions of this Subchapter D adopted November 1982 to be effective December 6, 1982, 7 TexReg 4081; amended July 1986 to be effective August 8, 1986, 11 TexReg 3399.

§53.71 General Provisions.

Statutory Citation

Texas Education Code §11.33(b)(1):

"(b)(1) A program of financial assistance for computer services to school districts of the state through Regional Education Service Centers shall be developed by the State Board of Education to encourage a planned statewide network or system of computer services designed to meet public school educational and informational needs. Toward achievement of maximum efficiency and to insure a practicable uniformity in services, the State Board of Education, by rules and regulations, shall adopt eligibility requirements for data processing computer services to receive the state financial assistance authorized herein."

Rule

A planned statewide system of computer services and a program of financial assistance shall be implemented to provide for the equitable and economical delivery of computer services to school districts through the regional education service centers. Objectives for the statewide system of computer services shall include the following:

(1) to provide funding assistance to education service centers for the cost of various services and the continual development, modification, and maintenance of school administrative software systems to satisfy school district management requirements, and state and federal reporting requirements;

(2) to reduce the burden of state and federal reporting;

(3) to ensure the availability of current, accurate, non-duplicative information necessary for decision making by the legislature and the State Board of Education and for local and state-level administration of public education;

(4) to identify, develop, and implement standard uses of computers for information, administration, and instruction; and

(5) to ensure that necessary computer services are made available to all school districts as economically and effectively as possible.

§53.72 Definitions.

The following words and terms, when used in this subchapter, shall have the following meanings, unless the context clearly indicates otherwise:

Compatibility - The ability of the hardware and software at one data processing site within the statewide system of computer services to utilize data prepared, processed, or handled at another data processing site without data conversion or code modification.

Development - The process of creating costly new administrative software systems needed to satisfy school district, state, and federal requirements for management data and reports.

Maintenance - The continual process of making minor programming changes and corrections of program errors to existing administrative software systems needed to satisfy school district, state, and federal requirements for management data and reports.

Modification - The continual process of making costly major programming changes to existing administrative software systems needed to satisfy school district, state, and federal requirements for management data and reports.

Multi-regional processing center (MRPC) - A specifically designated regional education service center computer facility having the responsibility for providing services to school districts in two or more education service center regions.

Regional processing center (RPC) - A specifically designated regional education service center computer facility which provides data processing services to school districts within one education service center region.

Statewide system of computer services - The orderly arrangement and interrelation of organizational structure, personnel, procedures, training, computer hardware, computer software, maintenance, communications facilities, and any other components essential to provision of the desired services at school district, regional, and state levels.

§53.73 Multi-Regional Processing Center (MRPC) Management Committees.

A management committee shall be established for each MRPC. The committee shall provide the users of computer services with a voice in the management of the computer processing center's operation. In this context, management includes the direction necessary to prepare and adopt an annual consolidated MRPC budget for the judicious use of resources to accomplish the objectives of the statewide system of computer services. Specific functions and composition of the committee shall be prescribed in the State Plan for Education Service Centers.

§53.74 Commissioner's Advisory Council for Regional Services.

(a) The Commissioner's Advisory Council for Regional Services through its research and information committee shall address at least the following objectives of the statewide system of computer services:

(1) to provide a means for satisfying administrative and instructional data processing needs of public school districts and education service centers;

(2) to cooperatively plan, develop, implement, and maintain a system of hardware and software capable of providing compatible and economical services for school districts;

(3) to encourage school district use of computer services available through the statewide system of computer services; and

(4) to conduct research and development projects to advance administrative and instructional uses of technology.

(b) The research and information committee membership shall include:

(1) the executive directors of RPC's and MRPC's; and

(2) other executive director representatives as appointed by the commissioner's advisory council for regional services.

§53.75 Role of the Central Education Agency in the Statewide System of Computer Services.

The Central Education Agency shall participate in making cooperative computer services more accessible and economical to all school districts and in reducing the school districts' reporting burden. The Central Education Agency shall:

(1) administer a program of financial assistance for computer services to school districts through regional education service centers;

(2) facilitate the sharing of software and available computer services; and

(3) cooperatively work with the regional education service centers and school districts to plan and conduct mutually beneficial innovative research and development projects which are consistent with the Long Range Plan of the State Board of Education.

§53.76 Reporting.

Regional education service centers shall submit reports as required by the Central Education Agency to facilitate budgeting and the distribution of financial assistance for the statewide system of computer services.

§53.77 Funding.

(a) Revenue sources. Computer services and research and development shall be funded from school district, state, and federal revenue sources.

(1) School district revenue. Each participating school district shall be responsible for making payment toward the cost of the computer services which it receives through the regional education service centers.

(2) State revenue. The funds which become available under the provisions of the Texas Education Code, §11.33(b), and any other appropriate state legislation shall be used to finance a portion of the costs of the statewide system of computer services and research and development provided for school districts through the regional education service centers.

(3) Federal or other revenue. A portion of the costs of the statewide system of computer services and research and development provided for school districts through the regional education service centers may be financed by federal funds or other funds which become available for this purpose.

(b) State funding of computer services. Funding assistance shall be made to the regional education service centers providing computer services to school districts in accordance with the following funding guidelines. These new funding categories shall be effective in fiscal year 1987-88.

(1) The funds shall be provided to education service centers on the basis of the amount of computer and interface services being provided to school districts. The three categories of funding assistance are:

(A) a variable amount of the total fund equitably distributed for school district administrative software development, modification, and maintenance and other computer services. This portion of the funding assistance shall also reflect the variable amount of personal services provided by education service centers to those districts using state developed, or endorsed, microcomputer and minicomputer administrative software operated at the school district;

(B) a variable amount of the total fund distributed through education service centers to equalize computer access to remote school districts (i.e., districts requiring the use of long distance telephone lines to access the computer for administrative services); and

(C) a fixed amount of the total fund distributed to those education service centers with approved research and development projects which apply technology to school administration and instructional needs. The State Board of Education shall annually approve the list of projects recommended for funding by the commissioner of education.

(2) The State Board of Education shall approve each year the budget allocation for each of these funding categories.

(c) State funding process. Funds shall be distributed to education service centers by the Central Education Agency on the basis of the computer services provided to school districts and approved research and development projects.

(1) Regional education service centers shall apply yearly for funds on report forms prescribed by the Central Education Agency.

(2) Detail funding formulas shall be developed by the commissioner of education. Such formulas shall be designed to promote and encourage school district participation by distributing the greater amount of funding to those education service centers providing the most commonly needed computer services. Data submitted by the education service centers shall be used as the basis of the formula computations.

(3) The commissioner shall also develop formulas to ensure equal on-line communications access to available computer services by remote school districts.

(4) Research and development projects to be funded shall be recommended by the commissioner of education and approved by the State Board of Education.

(5) Report forms, administrative processes, and funding formulas shall be prescribed in detail in the Central Education Agency computer services procedure manual.

APPENDIX C

RULES OF THE STATE BOARD OF EDUCATION PERTAINING TO REGIONAL EDUCATION SERVICE CENTERS

TITLE 19, PART II
TEXAS ADMINISTRATION CODE AND STATUTORY CITATIONS

CHAPTER 29. GENERAL PROVISIONS

§29.1 Policy.

The Texas Education Agency, composed of the State Board of Education, State Board for Vocational Education, State Commissioner of Education, and State Department of Education, shall carry out the educational functions assigned by the legislature. Boards of trustees of both county and local school districts, and boards of directors of regional education service centers shall be responsible for all educational functions not specifically delegated to the Texas Education Agency.

CHAPTER 61. SCHOOL DISTRICTS

§61.174 Training for School Board Members.

(d) Each regional education service center shall provide programs to support the training required in subsection (c) of this section. Such programs shall be submitted to the State Board of Education or its designee for approval. Registration for the regional education service center training programs will be open to all interested persons, including current and prospective board members.

(e) A registration fee will be determined annually by the commissioner of education for regional education service centers to use to cover the costs of providing training programs.

§61.291 General Provisions.

Rule

In accordance with Texas Education Code §11.202, the commissioner of education shall develop and implement a school volunteer program coordinated through the regional education service centers.

§61.292 Responsibility of Regional Education Service Centers.

(c) Each regional education service center shall employ a person in the position of regional coordinator of school volunteers. The regional coordinator of school volunteers shall develop materials, design recruitment procedures, and provide demonstration models and general assistance to school districts choosing to operate school volunteer programs.

Rule

(a) In accordance with Texas Education Code §11.202(c), each regional education service center shall designate a person to serve as coordinator of school volunteers. Each regional education service center volunteer coordinator shall provide information on school volunteer programs to all districts in the region.

(b) Regional education service centers shall offer assistance to all districts in their region which choose to operate a school volunteer program.

§61.295 Data Collection.

School districts and education service centers shall provide information on the school volunteer program as requested by the Texas Education Agency.

CHAPTER 77. COMPREHENSIVE INSTRUCTION

§77.22 Summer School Pilot Programs.

Rule

(d) Programs approved shall include districts with small, medium, and large concentrations of the types of students described in subsection (b) of this section and districts located in various regions in the state. The commissioner may include two or more districts operating a cooperative pilot program and one or more districts operating in cooperation with an education service center. Elementary and secondary programs shall be included in the pilot effort, but elementary programs shall have priority.

§77.364 Pilot Programs.

Statutory Citation

"(f) The State Board of Education shall establish a limited number of pilot programs for the purpose of examining alternative methods of instruction in bilingual education and special language programs.

(g) Districts approved to establish pilot programs as required by subsection (f) of this section shall be allocated an amount per student which is equal to the amount per student allocated to districts with approved bilingual education programs as outlined in this subchapter."

Rule

(a) The commissioner of education shall establish a minimum of 10 to a maximum of 20 structured pilot programs which operate and evaluate alternative types of special language programs. The purpose of these pilot programs shall be to identify approaches that are the most effective for developing English proficiency for limited English proficient students. The programs may be authorized for one, two, or more years based on the program to be piloted.

(b) The commissioner shall develop and disseminate information which sets out the specific approaches to be tested. The approaches may include, but need not be limited to, the following:

(1) concentrated English as a second language in varying time allotments and organizational structures;

(2) variations and refinements of language use in dual language programs at varying grade levels;•

(3) English as a second language or bilingual education programs within regular classrooms;

(4) varying English as a second language structures for the elementary and secondary levels;

(5) tutoring in English; and

(6) parental participation in learning English.

(c) Programs approved shall include districts with varying characteristics such as the following:

(1) small, medium, and large concentrations of limited English proficient students;

(2) location in the various regions of the state; and

(3) districts that have difficulty employing sufficient numbers of bilingual education teachers.

(d) Each pilot program shall have a comprehensive evaluation design. Information to be gathered shall include the following:

(1) the degree of student progress in attaining English proficiency;

(2) achievement in English reading and English language arts and other academic subjects;

(3) indicators of social integration in the total school community; and

(4) others.

(e) A district applying for a pilot program shall submit an application on forms developed by the agency containing a description of the program, a budget, and an evaluation design. The budget may request funds based on the number of students in the program times the amount provided by law. Such funds may be expended on salaries for instructional personnel, materials or equipment, and related costs.

(f) Based on the results of the evaluation of pilot programs, the commissioner shall submit a report to the State Board of Education identifying the most successful approaches that are appropriate to be implemented in other school districts.

§77.372 Bilingual Education Training Institutes.

(b) Administrative Procedure. The Texas Education Agency contracts with school districts, colleges, universities, education service centers, and/or individuals to conduct bilingual education training institutes throughout the State of Texas. Professional and paraprofessional personnel employed by

public schools eligible to participate in the institutes are reimbursed for expenses incurred as a result of their participation. The institutes are conducted in accordance with the training models approved by the commissioner of education.

§77.471 Administration and Supervision.

To be an approved course, driver education must be a part of the regular curriculum. The superintendent, chief school official, or education service center director is responsible for certifying that the course meets the standards for an approved course in driver education for Texas schools and that all driver education personnel meet state requirements. The superintendent, chief school official, or education service center director is also responsible for providing each driver education instructor and administrator with a copy of the standards. Instructors must also be provided with a state-approved curriculum guide appropriate for their phase of instruction.

§77.473 Teaching Assistants.

(b) Teaching assistants may be trained by approved universities as described in subsection (a)(1)(B) of this section or by colleges, school districts or education service centers as described in subsection (a)(1)(A) of this section. When the training is conducted by colleges, school districts or education service centers, the program must be approved by the Central Education Agency. Applications are available from the Central Education Agency and must be submitted 30 days prior to the training program. Certificates of completion of training will be provided by the Central Education Agency.

77.477 Driver Education Course Records.

(b) A record of instruction in minutes and hours is required for each driver education student. The record shall be maintained by the school district or education service center and shall be made available to officials of the Central Education Agency or the Texas Department of Public Safety.

§77.478 Signatures.

The Texas Department of Public Safety will accept only actual signatures of certified teachers. The signature of the chief school official or service center director may be written or stamped.

77.480 Procedures for Student Certification.

(h) When it is impossible for a driver education instructor to sign a driver education certificate (because of transfer, illness, or death), the superintendent, education service center director, or a designated official may certify that official records show the completion of an approved course. This must be done by completion of the driver education affidavit form on the reverse side of form DL-41A.

CHAPTER 81, INSTRUCTIONAL RESOURCES

§81.2 Statewide Instructional Resources System.

(a) Policy. The State Board of Education supports and encourages a coordinated system for making instructional resources available on an equitable basis to all students in public schools in Texas. The instructional resources system is based on a plan which gives guidance and direction to local school districts, education service centers, and the Texas Education Agency in such areas as technical assistance, staff development, dissemination of information, and the distribution, production, selection, evaluation, and management of instructional resources. The plan should also provide for the identification and effective utilization of available resources.

§81.41 Authorization of the Media Service Program.

A media service program shall be provided through education service centers. The program shall provide media services in accordance with law and rules of the State Board of Education.

§81.42 Media Services for Public Schools.

(a) To receive media services from the regional education service center serving its particular geographic region, a Texas public school district shall agree to pay its proportionate share for the cost of the media services.

(b) Basic media services provided are:

(1) a materials lending library containing 16 millimeter and 8 millimeter motion picture or improvements thereof with provision for processing and servicing, 35 millimeter slides or improvements thereof, filmstrips, remedial and enrichment programmed instructional materials, and disc recording;

(2) visual duplication service to reproduce transparencies, slides, filmstrips, and charts or improvements thereof;

(3) a magnetic tape duplicating service for audio and video tape;

(4) a delivery and dissemination system for materials and services;

(5) professional training services to the districts for coordination of media and curriculum; and

(6) acquisition and circulation of materials that will be coordinated with the curriculum of local school districts.

(c) Optional media services may include but are not limited to:

(1) equipment repair service with local school districts paying for such service;

(2) evaluation of services of new equipment, materials and techniques;

(3) graphics staff to produce transparency masters and charts; and

(4) other services.

§81.43 Discontinuing Participation for Media Services.

(a) Any school district that is participating in and contributing to the regional media services may elect to discontinue its participation in the services for a succeeding scholastic year with the provision that title to all educational materials and property purchased by the center shall remain with and in the center.

(b) The superintendent of the school district desiring to discontinue participation must notify the executive director of the service center to make the necessary arrangements for withdrawal.

§81.108 Orientation for Committee Members.

The commissioner of education shall ensure that members of the State Textbook Committee are given an orientation which includes, but need not be limited to, the following:

(1) the responsibilities of a State Textbook Committee member, including, but not limited, the responsibility to ensure that all books recommended meet the standards for content specified in the proclamation and in board rules;

(2) the textbook adoption process;

(3) the specific content requirements in the textbook proclamation;

(4) contacts with publishers and their representatives and disclosures relating thereto; and

(5) statutory and regulatory requirements which affect the committee, including, but not limited to, Texas Civil Statutes, Article 6252-9b, concerning standards of conduct for state officers and employees, and the Texas Penal Code, §36.02, concerning bribery.

§81.120 Samples.

Rule

(a) Two copies of each textbook and one sample of each learning system shall be filed with the commissioner of education and each of the 20 regional education service centers on or before the date specified in the schedule for the textbook adoption process. These samples shall be available for public review.

(f) The commissioner of education, after hearing and for cause, may extend the deadlines for filing of samples in regional education service centers as required by this section for one or more publishers. If such an extension is granted, the commissioner shall be authorized to adjust other deadlines in the schedule for the adoption process to ensure adequate time for public review of the books in question. The commissioner shall notify the State Board of Education of all such adjustments at the next meeting of the board.

At its discretion the board may remove from consideration any textbook or other materials proposed for adoption which were not properly on deposit in the regional education service centers.

§81.121 Special Provisions Concerning Samples of Learning Systems and Supplementary Instructional Materials.

(a) All publishers who filed a statement of intent to offer learning systems or supplementary instructional materials or both for adoption shall be required to have one copy of each system and each of the supplementary materials being offered for adoption on display with the commissioner of education and one sample of each system and each of the supplementary materials in each of the regional education service centers. The commissioner of education may authorize the submission of fewer copies of learning systems if the commissioner has determined that submission of 21 copies would cause undue hardship for the publisher. If fewer than 21 copies of systems are supplied, they shall be distributed among the 20 regional education service centers as directed by the commissioner of education. When fewer than 21 copies of learning systems are supplied, a prospectus for the learning system, which meets the requirements in subsection (b) of this section, shall be placed in each regional education service center.

§81.122 Regional Education Service Centers: Procedures for Handling Samples; Public Access to Samples.

(a) Handling procedures.

(1) Each regional education service center director shall designate one person to supervise all textbook shipments and shall notify the commissioner of education of the name of the person designated and the address at which sample books will be received.

(2) The commissioner of education shall furnish to each publisher directions for mailing textbooks to each center.

(3) The publisher shall mail to each center's representative three copies of a packing list covering each shipment to the center.

(4) The center's representative shall indicate on the packing list only those items not received by placing the letters N.R. (not received) next to the appropriate listings.

(5) The center's representative shall date and sign each copy of the packing list, mail one copy to the publisher, one copy to the commissioner of education, and keep the third copy.

(6) The commissioner of education shall notify all publishers of the shortages indicated on their packing lists.

(b) Public access to samples.

(1) Of the two sample copies of each textbook received by each center, one shall be retained in the center for review by interested persons there and one shall be made available to be checked out. Centers shall allow

persons to check out and review not more than five titles at one time, for a maximum of five days. Recheck privileges shall be determined by each service center.

(2) Samples of learning systems shall not be removed from the regional education service centers.

(3) Regional education service centers shall ensure reasonable public access to textbook samples, including access outside of normal working hours which shall be scheduled by appointment. Each center shall submit a schedule for public review of materials to be approved by the commissioner of education.

(4) Each service center shall issue a news release publicizing the date on which textbooks will be available for review at the center and shall notify all school districts in the region of the schedule for review of materials. The notification to districts shall include information on any special provisions made by the center for review of learning systems.

§81.125 Hearings before the State Textbook Committee.

(g) Within 10 days after the record is closed, the commissioner shall send copies of the record to members of the State Textbook Committee and regional education service centers.

§81.129 Consideration and Adoption of Textbooks by the State Board of Education.

(j) If the State Textbook Committee recommends and the board determines the substantial modifications should be made in books, ... When adoption is delayed, the board shall specify the following:

(1) Deadline for publishers to submit required substantive changes to the commissioner of education and regional education service centers. The number of copies to be submitted shall be specified by the commissioner of education.

(2) Period of revisions will be available for public review at the office of the commissioner of education and in regional education service centers.

CHAPTER 85, STUDENT SERVICES

§85.214 Operation of School Buses.

(e) School bus driver training shall be provided as follows:

(1) The curriculum for school bus driving training will be developed by Central Education Agency and approved by the Department of Public Safety.

(2) Bus driver training will be administered by the regional education service centers.

(3) The cost of each training course will be determined annually by the commissioner of education. The cost of the course will be charged back to the participating school districts on a pro rata basis by the regional education service centers. If a local district provides for some or all of its own course expenses (e.g., has its own instructor, materials, classrooms), such expenses shall be deducted from the regional education service center fee.

(4) The transportation section of the Central Education Agency will monitor the training program through surveys and reports submitted by each regional education service center.

§85.231 Program Handbook and Instructional Guide for School Bus Driver's Training in Texas.

The rules for school bus driver's training are described in the official Texas Education Agency bulletin entitled "Program Handbook and Instructional Guide for School Bus Driver's Training in Texas", as amended March 1983, which is adopted by this reference as the Agency's official rule. A copy is available for examination during regular office hours, 8 a.m. to 5 p.m., except holidays, Saturdays and Sundays, at the Texas Education Agency (headquarters) building, 201 East Eleventh Street, Austin, Texas and the education service centers in the state.

CHAPTER 89, ADAPTATIONS FOR SPECIAL POPULATIONS

§89.55 Establishment and Approval of Programs.

(g) Districts with limited numbers of gifted and talented students are encouraged to establish cooperatives. Combinations of districts that apply for state funding shall select a fiscal agent to manage the program. Education service centers may act as fiscal/management agents for districts in their regions.

§89.71 Provision of Adult Education.

Rule

In accordance with Texas Education Code 11.18, adult education shall be provided by public school districts, regional education service centers, and public colleges and universities for the purpose of providing adults the educational prerequisites for effective living, gainful employment, and citizenship.

§89.72 Definitions.

Cooperative adult education program - A community or area adult education program that provides for the coordinated administration of federal, state, county, and local adult educational resources through a cooperative effort by area public school districts, county boards of education, regional education service centers, and public colleges and universities.

§89.80 Program Delivery System.

(a) There shall be a statewide system of adult education cooperatives for the coordinated provision of adult education services by public school districts, county boards of education, public colleges and universities, and regional education service centers. The commissioner of education shall establish geographical service delivery areas for the formation of cooperatives. To the extent possible, service delivery areas shall be large enough to support a program meeting the requirements of §89.73 of this title (relating to Essential Program Components) and to ensure efficient and effective delivery of services.

§89.112 Official Testing Centers.

(a) When authorized by the Central Education Agency, official testing centers shall be established by annual contract with an accredited school district, institution of higher learning, or service center. The testing center must be located at a high school in an accredited district, an adult learning center, an accredited institution of higher learning, or education service center. The chief administrative officer of a school, institution, or education service center desiring to provide the General Educational Development testing service to residents in the community must request authorization to do so from the Central Education Agency. If the need for a testing center in the location exists, the appropriate agency official, in writing shall inform the American Council on Education that the establishment of an official testing center is authorized at that particular institutions. The center will be sent four copies of an annual contract by the American Council on Education, together with order forms and other material relating to the operation of the testing center. The contract forms must be signed by the chief administrative officer of the school, institution, or education service center.

(b) The chief administrative officer of the school, institution, or education service center at which an official testing center is established must agree to maintain test records permanently and to provide appropriate storage for restricted test materials and a suitable place for administering the test. Each center is responsible for selection and ordering of test materials.

(c) The administrative officer of a school district or education service center must designate a certified counselor and the officer of an institution of higher education must designate a professional person with a background in testing and counselling to serve as chief examiner. The person designated chief examiner shall not be involved in the preparation of persons for the examinations. The chief administrative officer must obtain prior authorization from the Central Education Agency to change the chief examiner or the location of a testing center.

(d) Testing centers may transport restricted test material to county, state, or municipal correctional and health facilities if authorization to do so has been obtained. The chief administrative officer of an institution housing an official testing center and the administrator of the correctional or health facility must request authorization to provide the testing services from the Central Education Agency. Only the exact number of tests needed at a test session may be transported, and the scoring and reporting of test results must be done at the official test center site. Testing services at

correctional or health facilities shall be limited to inmates or patients of the facility, and the tests must be administered by an employee of the school district, institution of higher learning, or education service center housing the test center.

(f) Official testing centers may charge a fee for test administration. The amount of the fee shall be determined by the administration or by the board of the school district, institution or education service center.

§89.212 Intermediate Educational Units.

(a) For the purposes of this subchapter, regional education service centers shall be considered to be intermediate educational units as defined in federal regulations.

(b) Regional education service centers shall provide services required from intermediate educational units in federal regulations and such other services as may be required by this subchapter or by the commissioner of education.

§89.226 Comprehensive System of Personnel Development.

(a) Regional education service centers.

(1) Each regional education service center shall provide a comprehensive system of personnel development which includes a regional plan for personnel development based on identified needs. This plan shall be reviewed and approved by the education service center special education advisory committee.

(2) The education service centers shall provide technical assistance to school districts in the development and implementation of personnel development plans.

§89.227 Contracting for Educational Placements for Handicapped Students.

Rule

(a) School districts, special education cooperatives, and regional education service centers may contract with approved nonpublic schools on a day or residential basis.

§89.238 Regional Education Service Center Special Education Programs.

Each regional education service center shall have a special education program component. Activities and services shall be based on regional needs in accordance with the following priorities:

(1) General special education program and administrative technical assistance in:

(A) program planning, including personnel development and long range planning; and

(B) implementation of and compliance with state and federal law and regulations and follow-up technical assistance to local education agencies being monitored.

(2) Continued support to school districts in instructional program and curriculum development, including basic skills instruction and the development of alternatives to private residential placements.

(3) Technical assistance and training for teachers in the selection and use of instructional materials.

(4) Maintenance of a minimum child find/serve program including:

(A) referral and tracking of both school age and 0-3 age students;

(B) resource identification; and

(C) interagency coordination.

(5) Technical assistance and inservice training in support of local district direct service providers such as assessment and related service personnel.

(6) Direct and supportive services to visually handicapped students. A minimum of one staff member certified in the education of the visually handicapped shall be employed by each service center.

(7) Provide direct or supportive assistance or both to early childhood programs and to handicapped students in early childhood programs.

§89.239 Other Special Program Provisions.

Rule

(a) In accordance with the Texas Education Code §11.052, local school districts, in cooperation with education service centers when appropriate, shall provide specialized services to visually handicapped students (from birth) who have not reached their 21st birthday on September 1 of the current scholastic year in order for such students to succeed in local education settings. Specialized services shall be provided to visually handicapped infants birth through age two and their families. The program may be home-based or school-based or a combination. The program shall cooperate with programs provided by other agencies concerned with infants. Admission to the program shall be determined by the admission, review, and dismissal (ARD) committee of the school serving the student. When admitted into the program, the student shall be considered to be enrolled in the school system.

§89.244 Advisory Committees.

(b) State-level advisory committee.

(1) The Continuing Advisory Committee for Special Education shall be the state advisory panel required by federal regulations and shall advise the Texas Education Agency on the education of handicapped children.

(2) The committee shall have 17 members, representing the following:

(F) one special education staff person from a regional education service center;

(c) Regional advisory groups. A regional advisory group shall be established by each regional education service center. The group shall be composed of professional personnel from school districts in the region and representatives from other public and private educational and related agencies which provide services for handicapped students.

§89.255 Budgeting, Accounting, and Auditing for Special Education.

All special education programs for handicapped students operated by school districts and regional education service centers shall adhere to budgeting, accounting, and auditing requirements promulgated by the agency.

§89.256 Regional Education Service Centers.

(a) Each education service center shall conduct a yearly region-wide needs assessment to determine the most appropriate role and functions for the service center in relation to special education programs in the region. In accordance with priorities established by the Texas Education Agency and needs identified by local school districts, each service center shall develop a regional special education plan. The plan shall be submitted to the Texas Education Agency for approval on or before July 1 each year.

(b) Funds shall be allocated to regional education service centers for the provision of support services for the functions described in Texas Education Code §11.33(c)(1).

(c) State funds for support staff may be allocated to regional education service centers which will serve as fiscal agents for those school districts which choose to receive such services through the education service centers.

(d) Reimbursement for travel expenses for regional education service center special education personnel may be based on individual education service center procedures but shall not exceed the current state rates for travel reimbursement.

(e) The education service center shall not charge school districts for those services for which the service center has been fully funded.

§89.333 Program Scope.

(b) Administrative procedure.

(3) Staff development services shall be provided to personnel serving migrant children through local programs requested by the district, regional or cluster workshops conducted by education service center migrant personnel, and personnel training institutes.

CHAPTER 105, FOUNDATION SCHOOL PROGRAM

§105.291 Basic Financial Support for Regional Education Services.

Funds shall be allocated from the Foundation School Program Fund in accordance with the formula established by law for the basic costs of providing regional education services to school districts, the coordination of educational planning in the region, and administrative costs necessary to support these services. Beyond a basic support allocation, any additional funds shall be allocated to the centers on the basis of average daily attendance, with the exception of special projects assigned to a specific center, or as approved by the board.

§105.992 Regional Media Services Funding.

(a) Funds shall be allocated from the Foundation School Program fund for the support of regional media services to each regional education service center on the basis of an annual statement from the service center executive director which identifies school districts that have agreed to participate and which states that the participating districts will be billed for an amount that is not less than the amount to be paid by the state.

(b) Payment is made to the center on the basis of the per pupil rate set by the regional board of directors multiplied by the average daily attendance earned in each participating district. The per pupil rate may not exceed the amount specified in the appropriations act.

(c) Prior year's average daily attendance is used including that earned in special education classes before adjustments for transferred students have been made.

(d) If districts have consolidated, the combined prior year's average daily attendance of the consolidated districts is used.

CHAPTER 109. BUDGETING, ACCOUNTING, AND AUDITING

§109.21 Types of Audit Functions.

(a) The provisions of this subchapter cover three audit functions that include:

(2) field audits and reviews of school districts, regional education service centers, and other subgrantees performed by staff; and

(3) independent audits of school districts and regional education service centers performed by locally engaged Texas licensed public and certified public accountants.

§109.24 Field Audits and Reviews.

(a) Field audits and reviews of operations of school districts, regional education service centers, and other subgrantees shall be performed freely and objectively by the audit division in accordance with the annual audit

plan. Field auditors shall be free of administrative duties, such as determining funding allocations, etc., that will tend to impair audit objectivity.

(d) Audits and reviews performed by the audit division shall not duplicate efforts of entities complying with the Single Audit Act of 1984 (31 USC 75). Field audits and reviews shall build upon work already performed, and shall include:

(5) management and service audits of regional education service centers.

§109.25 School District Independent Audits.

(a) The performance and review of required school district and regional education service center independent audits, including review of auditors' working papers, shall be accomplished in accordance with the Financial Accounting Manual, Bulletin 679, §109.61 of this title (relating to Financial Accounting Manual).

§109.42 Membership and Appointment.

The Advisory Committee for Budgeting, Accounting, and Auditing shall be composed of nine members, approved by the State Board of Education upon recommendation of the commissioner of education, allocated as follows:

(4) One member shall represent education service centers.

CHAPTER 121, PUBLIC SCHOOL FINANCE - PERSONNEL

§121.33 Entities Recognized for Creditable Service.

(a) Entities recognized for professional or paraprofessional personnel. Service in any of the entities listed in the subsection shall be recognized for professional or paraprofessional personnel. The minimum employment requirements in §121.32 of this title (relating to Minimum Employment Requirements for Creditable Service) must be met. Requirements concerning service in each type of entity in §121.34 of this title (relating to Requirements Concerning Entities Recognized for Creditable Service) must also be met. Service in the following entities is creditable:

(2) Texas regional education service centers;

§121.34 Requirements Concerning Entities Recognized for Creditable Service.

(a) Entities recognized for professional and paraprofessional personnel.

(2) Texas regional education service centers.

(A) Personnel employed in cooperatives for which the education service center is acting as fiscal agency must meet the same requirements as personnel employed in Texas public elementary and secondary schools.

(B) All other personnel must meet the same requirements as personnel employed in the Central Education Agency.

CHAPTER 149. EDUCATION PERSONNEL DEVELOPMENT

§149.1 Purpose of Program. (Education Personnel Development Program)

(a) Policy.

(1) The Texas Education Agency maintains a regular professional teacher preparation program and shall maintain a complementary statewide educational personnel development program to meet the particular personnel needs of the state. The program shall involve public school districts, colleges and universities, education service centers, and the Texas Education Agency. The program shall focus on the following basic strategies: . . . .

§149.21 General Provisions.

Rule

(g) With advance local district approval, activities planned by or sponsored by school districts, education service centers, colleges/universities, professional associations, or governmental agencies may be counted as part of the required days of inservice education. Such approved activities must be completed prior to the last preparation (work) day of the school year. A maximum of one day of professional association meetings may be approved by the district count as an inservice day provided it is not used to conduct the business of the professional association.

§149.24 Standards of Inservice Training in Instructional Leadership for District Administrators.

Rule

(a)(2) Training institutions and trainers.

(A) Approved inservice programs for district administrators must be sponsored by an education service center, college or university, appropriate professional organization, school district, or the Central Education Agency.

(b) Inservice programs are required in the following areas:

(A) Content of general management inservice programs will be developed by a consortium of representatives from the Central Education Agency, universities, education service centers, professional organizations, school districts, and private sector, and recommended to the State Board of Education for final approval.

§149.81 Advanced Academic Training.

Rule

(c) Sponsors and presenters.

(1) Workshops or classes must be sponsored by a school district, a college or university, an education service center, a professional organization, or a governmental agency. A program by a private firm must be sponsored by one of the entities in this subsection.

CHAPTER 161. ADVISORY GROUPS

§161.5 Sunset Rule.

Rule

Advisory Committees and Their Sunset Dates

(S) Statewide Advisory Commission on Education Service Centers - 1992

CHAPTER 165. RELATIONSHIPS WITH THE UNITED STATES GOVERNMENT AND ITS AGENCIES

§165.3 Federal/State Relations Commission.

(b) The commissioner of education shall invite two members each who shall be representative of urban, suburban, and community schools, school administrators, and the teaching profession; one representative of postsecondary institutions, one from a regional education service center, and one county superintendent to serve as members of the commission. The governor, lieutenant governor, the speaker of the house of representatives and the attorney general shall be invited to name one member each. Three members of the State Board of Education and three members of local school district boards shall be designated by the chairman of the State Board of Education to serve on the commission.

COMPLIANCE STATEMENT

TITLE VI, CIVIL RIGHTS ACT OF 1964; THE MODIFIED COURT ORDER, CIVIL ACTION 5281, FEDERAL DISTRICT COURT, EASTERN DISTRICT OF TEXAS, TYLER DIVISION

Reviews of local education agencies pertaining to compliance with Title VI Civil Rights Act of 1964 and with specific requirements of the Modified Court Order, Civil Action No. 5281, Federal District Court, Eastern District of Texas, Tyler Division are conducted periodically by staff representatives of the Texas Education Agency. These reviews cover at least the following policies and practices:

(1) acceptance policies on student transfers from other school districts;

(2) operation of school bus routes or runs on a non-segregated basis;

(3) nondiscrimination in extracurricular activities and the use of school facilities;

(4) nondiscriminatory practices in the hiring, assigning, promoting, paying, demoting, reassigning, or dismissing of faculty and staff members who work with children;

(5) enrollment and assignment of students without discrimination on the basis of race, color, or national origin;

(6) nondiscriminatory practices relating to the use of a student's first language; and

(7) evidence of published procedures for hearing complaints and grievances.

In addition to conducting reviews, the Texas Education Agency staff representatives check complaints of discrimination made by a citizen or citizens residing in a school district where it is alleged discriminatory practices have occurred or are occurring.

Where a violation of Title VI of the Civil Rights Act is found, the findings are reported to the Office for Civil Rights, Department of Health, Education and Welfare.

If there is a direct violation of the Court Order in Civil Action No. 5281 that cannot be cleared through negotiation, the sanctions required by the Court Order are applied.

TITLE VII, CIVIL RIGHTS ACT OF 1964; EXECUTIVE ORDERS 11246 AND 11375; TITLE IX, 1973 EDUCATION AMENDMENTS; REHABILITATION ACT OF 1973 AS AMENDED; 1974 AMENDMENTS TO THE WAGE-HOUR LAW EXPANDING THE AGE DISCRIMINATION IN EMPLOYMENT ACT OF 1967; AND VIETNAM ERA VETERANS READJUSTMENT ASSISTANCE ACT OF 1972 AS AMENDED IN 1974.

It is the policy of the Texas Education Agency to comply fully with the nondiscrimination provisions of all federal and state laws and regulations by assuring that no person shall be excluded from consideration for recruitment, selection, appointment, training, promotion, retention, or any other personnel action, or be denied any benefits or participation in any programs or activities which it operates on the grounds of race, religion, color, national origin, sex, handicap, age, or veteran status (except where age, sex, or handicap constitute a bona fide occupational qualification necessary to proper and efficient administration). The Texas Education Agency makes positive efforts to employ and advance in employment all protected groups.

TEXAS EDUCATION AGENCY
1701 NORTH CONGRESS AVENUE
AUSTIN, TEXAS 78701

AD9-402-01